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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1871-'72.

RALEIGH:
THEO. N. RAMSAY, STATE PRINTER AND BINDER.
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

SESSION 1871-'72.

MONDAY, NOVEMBER 20th, 1871.

The House met pursuant to provisions of the Constitution at 12 m. Mr. Speaker Jarvis in the Chair.

Opened with prayer by Rev. Mr. Grayson of McDowell.

Mr. Crawford moved a call of the House, and the following members answered to their names.

Messrs. Ashe, Atwater, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Clinard, Collis, Currie, Darden, Drake, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Furr, Garrison, Goodwin, Gore, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Kelsey, Lassiter, Loftin, Luckey, Martin, Marler, Maxwell, McAlister, McCauley, McNeill, Morgan of Wake, Nicholson, Rankin, Reavis, Robbins, Smith of Anson, Smith of Halifax, Tucker of Craven, Willis, Womack, Woodhouse, and Young of Wake—56.

No quorum appearing present, on motion of Mr. Marler the House adjourned to meet to-morrow 10 A. M.

TUESDAY, NOVEMBER 21st, 1871.

The House met at 10. A. M., Mr. Speaker Jarvis in the Chair.

Prayer by the Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

On call of the House the following members answered to their names:

Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryant, of Halifax, Bryant, of Jones, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Goodwin, Gore, Gullick, Grayson, Guyther, Hampton, Harris, of Guildford, Harris, of Franklin, Henderson, Houston, Hinnant, Johnston, of Buncombe, Johnston, of Edgecombe, Johns, Jones, of Caldwell, Jones, of Northampton, Joyner, of Johnston, Joyner, of Pitt, Justice, Kelley, of Davie, Kelley, of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Morgan, of Montgomery, Mitchell, Newsome, Nicholson, Paylor, Rankin, Reavis, Reid, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Strudwick, Tucker of Craven, Welch, Willis, Womack, Woodhouse, Williamson, Young of Wake, Young of Yancey, York. Present, 90.

Messrs. Bean, of Randolph, Heaton, of New Hanover, and Tucker, of Iredell, members elect to fill vacancies from their respective counties, appeared, presented their credentials, were qualified and took their seats.

INTRODUCTION OF RESOLUTIONS.

By Mr. Welch: A resolution concerning resignation of Hon. Z. B. Vance, Senator, which was read and referred to Committee on Propositions and Grievances.

By Mr. Martin: A resolution of instruction to the Public Treasurer. Read and referred to the Committee on Internal Improvements.

INTRODUCTION OF BILLS.

By Mr. Johnston, of Buncombe: A bill to be entitled an act to amend the Code of Civil Procedure. Read and referred to Judiciary Committee.

By Mr. Ashe: A bill to be entitled an act to amend the Constitution of North Carolina. Read and referred to Committee on Constitutional Reform.

By Mr. Darden: A bill to authorize the Commissioners of Perquimans county to issue bonds. Passed first reading, and referred to Committee on Counties and Towns.

By Mr. McNeill: A bill to be entitled an act to amend an act to change the time of holding the Superior Courts of New Hanover county. Passed first reading and referred to Judiciary committee.

The morning hour having expired, Mr. Welch moved to withdraw his resolution concerning Hon. Z. B. Vance, United States Senator, from the committee, and make it special order for Thursday next, at 11 A. M. Under a call for the ayes and noes the motion prevailed. Ayes 47; Noes 38.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gore, Hampton, Henderson, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Martin, Marler, Maxwell, McAllister, McNeill, Mitchell, Nicholson, Paylor, Robinson, Scott, Shull, Smith of Wayne, Stewart, Strudwick, Tucker of Iredell, Welch, Womack Woodhouse and York—47.

NOES—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Collis, Dudley, Faulkner, Fisher, Fletcher, Goodwin, Gullick, Grayson, Guyther, Harris of Guil-

ford, Heaton, Houston, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Loftin, Luckey, Lyon, McCauley, Morgan of Montgomery, Morgan of Wake, Newsom, Reavis, Reid, Robbins, Smith of Halifax, Tucker of Craven, Willis, Williamson and Young of Wake—38.

On motion of Mr. Loftin a message was sent informing the Senate that the House was organized and prepared for the transaction of business, and that request be made for the appointment of a joint committee to wait upon His Excellency, the governor, to receive any communication from him.

Messrs. Loftin, Carson and Dudley were appointed House branch of said committee.

A message was received from the Senate announcing the organization of the Senate; and concurrence of that body in resolution to appoint a committee to wait upon the governor, Senators Lehman and Latham being appointed Senate branch of said committee.

The Joint Committee having performed their duty, reported that the governor would transmit a message to the General Assembly at 11.50 A. M. At which hour the following message was received and read, and on motion transmitted to the Senate with a proposition to print five copies for each member of the General Assembly, and fifty copies for each department of State:

To the Honorable the General Assembly
of the State of North Carolina:

By the constitution of our State, the governor is required "from time to time to give to the General Assembly information of the affairs of the State, and recommend to their consideration such measures as he may deem expedient."

Before proceeding to the discharge of this duty, imposed by the Constitution, it is proper that in the name and in behalf of the people of the State, I should make due acknowledgment to the Supreme Ruler of the Universe for the many blessings

and privileges He has bestowed upon us, and invoke His continued guardianship over our State and Nation.

For the last six years, gentlemen, we have been struggling to repair and rebuild the fortunes of the State, which were wasted and squandered in a most calamitous struggle with the general government. It will answer no good or useful purpose to enter upon the causes which brought on this collision. Every one has his own opinion on this subject, and instead of endeavoring to open afresh the bleeding wounds, or revive the memories of the sad past, it behooves us all to throw the mantle of oblivion over our difference and devote our energies to raising up our beloved old commonwealth from the low estate into which she has fallen—to place her upon the proud eminence which she occupied prior to the events inaugurated in 1861, and brought to an end in 1865, by the triumph of the armies of the Federal government. However much many of our wisest and best men may have believed they were justified in resorting to hostile measures for the purpose of enforcing or defending rights which they deemed to be in jeopardy, yet it must now be apparent to every candid observer that the step was unwise in the extreme, bringing upon our State nothing but calamity, and reducing many of her people to bankruptcy and ruin. With this sad experience continually before our eyes—remembering the former grandeur of North Carolina—the happiness and prosperity of her people—the peace and good will which once reigned supreme in all her borders—the mutual forbearance and respect her citizens entertained one for another—with all these memories crowding our minds, may we now resolve that hereafter, whenever it is consistent with our honor and good name, "to bear the ills we have rather than fly to those we know not of."

STATE DEBT AND FINANCES.

The most important subject which will demand your attention at this session, is the debt and finances of the State.

The report of the Public Treasurer exhibits the condition of the debt. An analysis of it will show that this debt consists of the following classes:

1st. "Old" or "ante-war debt" including $383,045 held by the Board of Education which is in the form of a certificate issued in lieu of old bonds,	$	8,761,245
Accrued interest,		1,588,515
	$	10,349,760
2d. Bonds issued since the war under acts passed before, in aid of internal improvements,	$	3,015,000
Accrued interest,		542,700
	$	3,557,700
3d. Bonds issued since the war to fund accrued interest and past due bonds, viz:		
Under act of 1866,	$	2,417,400
Under act of 1868,		1,721,400
Accrued interest,		744,984
	$	4,883,784
4th. Bonds issued during the war for internal improvement purposes, but not marketable because of the time of issue, &c., &c., viz: Bonds issued under acts passed before the war,	$	913,000
Issued under acts passed during the war,		215,000
Accrued interest,		383,550
	$	1,511,550
5th. Bonds issued under acts passed since the war for internal improvement purposes, *not special tax*, viz:		

Under ordinance of Convention of 1868, to Chatham Railroad Company,	$	1,200,000
To Williamston & Tarboro' Railroad Company,		150,000
	$	1,350,000
Accrued interest,		334,000
	$	1,584,000
6th. Special Tax Bonds issued under acts passed in 1868–'69, and since repealed by act of 8th March, 1870, viz: Bonds to Eastern Division of Western North Carolina Railroad Company,	$	273,000
Western Division of said Road,		6,367,000
Western Railroad Company,		1,320,000
Wilmington, Charlotte & Rutherford Railroad Company,		3,000,000
Williamston & Tarboro' Railroad Company,		300,000
Atlantic, Tennessee & Ohio Railroad Company,		147,000
	$	11,407,000
Accrued interest,		1,475,670
	$	12,882,670
7th. Bonds pronounced unconstitutional by Supreme Court, viz: Bonds issued to Chatham Railroad Company, now outstanding,	$	350,000
Penitentiary on Deep River,		100,000
	$	450,000

SUMMARY OF DEBT.

The principal of the entire debt is	$ 29,900,045
The total amount of accrued interest thereon to October 1, 1871, is	4,987,419.45
Total amount of principal and interest is	$34,887,464.45

The only securities held by the State from which she derives any income, are the $3,000,000 stock in the North Carolina Railroad Company, on which six per cent. dividends have lately been realized, which dividends, by a decree of the Circuit Court of the United States for the District of North Carolina, have been subjected to the payment of interest due on the bonds of the State issued to pay for said stock.

Commenting on the foregoing list I remark, that the first class, consisting of the ante-war bonds, originally sold, some over par, all averaging nearly par, the proceeds of which mainly built our railroads, seem to be of the highest dignity. The second class, although issued under acts passed before the war, it is notorious were sold at not more than fifty cents in specie, and not exceeding sixty-five or sixty-six cents in currency, when their depreciation was heavy. It is believed that many realized less than fifty cents in specie.

The bonds of the third class are also of undisputed validity. In fact, many were exchanged for old or ante-war bonds, which had become due, or for those which had become mutilated or scratched—the residue for coupons at par (without interest at maturity) which had become due mainly on the ante-war debt.

The fourth class the General Assembly has heretofore, except to a small amount, refused to recognise it; but it seems difficult to prove that they have not been validated in general terms by the ordinance of the Convention of 1865–'66, declaring all debts binding on the State when not incurred in aid of the rebellion. But if recognized they should be scaled according to the rate of depreciation at the date of issue, and of

course they should not be recognized unless it shall be proved that their proceeds were applied to building our railroads.

The fifth class stands on the same footing as the second, but they were sold, probably, at a lower average price.

The bonds of the sixth class were sold, nearly all of them, at ruinous rates—many bringing only from ten to thirty cents in currency. Very many were sold under circumstances which ought to have put prudent men on their guard—sold in a reckless and gambling manner, so that it was plain to the most unwary that the agent of the company to which they were issued was not acting with fidelity to the interests of his principal; besides, many were disposed of after the General Assembly, by the act of January, 1870, gave notice to the world that they had ordered the return of said bonds, and that future sales of them would be invalid—and lastly, a large number, according to a report made by a committee of the House of Representatives, were issued without the certificate required by law.

The seventh class, I am of opinion, the State cannot recognize, but if she owns any property purchased with the proceeds of these bonds, such property might be surrendered to *bona fide* purchasers of said bonds before their constitutionality was questioned—further than this, the General Assembly, in my opinion, cannot go.

In considering the important and most difficult problem of the public debt, the following questions present themselves:

1st. What is the actual amount for which the State in equity and good conscience is liable?

2d. This amount being ascertained, are the people of the State *able* to pay the annual interest on the same regularly and promptly?

3d. If theoretically *able*, are they, in their present condition of poverty and depression, *willing* to submit to the sacrifices required?

4th. Supposing that the people are either not *able* or not *willing* to pay the interest on the public debt for which they

are justly liable. What shall be done? Shall we do nothing, or endeavor to effect an honorable settlement with the public creditor?

With regard to the first question, as to the actual amount for which the State is justly liable, in my judgment this cannot be ascertained without investigation by able financiers and business men—men trained to weigh evidence, and of sufficient discernment to detect fraud.

As to the second question, I remark that the report of the Auditor shows that the people of the State are in such a state of depression that the total valuation of real and person property will not exceed $121,000,000. The immense natural resources of the State are admitted, and if properly developed, the taxation necessary to pay the interest on a much larger debt would be a light burden. The low valuation above stated shows that the annual profits from this property is small. To pay this interest and support the State and County governments, as well as to provide for the education of our children, to say nothing of the payment of old debts owing by counties and towns, which in many instances is being enforced by the courts, will be such a large per centage of the income of our people, that I am forced reluctantly to conclude, that they cannot bear the necessary taxation without being deprived of their property, and in some cases of even the necessaries of life.

If I am correct in supposing that the people cannot now shoulder this taxation, it is unnecessary to enquire into the third question, as to their *willingness* to do so. Our people are generally honest. Repudiation *directly* is far from their thoughts. Any such action will be in the last degree painful and revolting to them. Their evident unwillingness at this time, arises from their belief that they are *unable* to pay. Whether right or wrong in this opinion, they are honestly determined, I think, on this question. If I am correct in judging the public mind, then the public creditor has no means of enforcing the satisfaction of his debt by law. The State

cannot be sued by him ; but even if it were otherwise, all legal process against large communities, unanimous in resisting, would be vain. The experience of creditors of single counties in the Northwest and elsewhere, shows that it is difficult and costly to recover satisfaction out of a *single* county in a State. If *all the counties* are in the same mind, and threatened with the same exactions, such recovery will be utterly impracticable. Officers could not be found to enforce the process of the courts, and even if enforced, the recovery would be valueless. Not only in America, but in despotic countries, *the settled will of the people* will always prevail against the theories and technicalities of law, however supported by precedent—just as in the late war, we found the courts always deciding stay-laws to be unconstitutional, yet the people, through the Legislature, in defiance of the courts, managed to stay the collection of debts.

The only remedy which the public creditor can possibly make available, as to the legality of which I express no opinion, is the enforcement, through the courts, of the provisions of such charters of the various Railroad Companies in which the State owns stock, as subject the stock, held by the State, and all dividends thereon to the payment of the principal and interest of the bonds issued for the benefit of such companies. In the case of the North Carolina Railroad Company the Circuit Court of the United States for the District of North Carolina, has already decided to subject the dividends declared by the company on the stock belonging to the State to the payment of interest on the bonds of the State issued for the benefit of that corporation. It is said to be in contemplation to ask the court to order a sale of stock held by the State sufficient to re imburse to the bondholders the dividends heretofore paid into the Public Treasury. I respectfully suggest to the General Assembly whether it is not proper to order a sale of all the stocks owned by the State, to be paid for in the securities for which such stocks were originally pledged. Such a course would reduce the debt of the State to a large extent,

and seems to be demanded by the terms of the contract with the public creditor.

The last question is, what shall be done with the public debt, supposing that the State *cannot* or *will not* pay the interest now, and will not give any assurance of paying the same within a reasonable time? Several schemes are suggested in this regard. Some say, "Let matters remain as they are—make no provisions for paying interest—make no effort for a reasonable settlement—pass no act of partial repudiation—let the future take care of itself." If this plan be adopted, certainly interest will accumulate so rapidly that the very magnitude of the debt will lead to total repudiation eventually. I think this plan neither honest, nor manly, nor wise.

Another plan is to pay two per cent. interest the first year on the whole debt after the just and true amount shall have been ascertained; three per cent. the next year; four per cent. the third year; five per cent. in 1875,and so on in regular progression, so as to make an average of six per cent. in the whole. Such a scheme was adopted in Missouri since the war. This plan could not be successful or expedient, except in a State rapidly increasing in population and wealth. The annual payments would soon become so large that they would be intolerable, unless the taxable property should correspondingly increase. It is also liable to the objections that it is complicated and cumbrous, and that it is a mere *speculation* on the supposed events of the future.

A third plan is to assure the public creditors that the State is at present unable to pay interest on its debt—that it acknowledges the binding force of the debt—that it desires to fulfil all its just obligations, and will do so at the earliest time possible; but that it is a matter of uncertainty when that time will arrive. The people can pay something at present, possibly they may be able to pay a larger proportion hereafter. Whether they can or not is one of the uncertainties of the future. Hence, according to this plan, we may offer the following proposition:

Let the State create a new debt, issue new bonds bearing three per cent. interest, payable in specie, with a tax imposed in the act, sufficient to raise funds to pay such interest—then make it optional with the bondholders to exchange their old bonds for the new issue or await the chances of such improvement in the condition of the State as will secure to them payment of their claims in full. I suggest, without making any recommendation either pro. or con., that it might be provided that in lieu of $1,000 bonds bearing three per cent. interest, $500 bonds bearing six per cent. interest might be given in exchange to the creditor for each $1,000 bond held by him.

In my opinion the people can bear the burden of such a settlement, and those bondholders who do not think they have a specific lien on valuable stocks owned by the State, (e. g., those of the North Carolina Railroad Company,) would be willing to accept one proposal or the other. Of course it will be entirely optional with the creditor whether he will accept either proposition or await future developments. By pursuing this course the General Assembly would merely acknowledge frankly a palpable truth; they would offer the best, which, in the judgment of many, the people can do at present, and they would refrain from a repudiation of their contracts.

But whichsoever course the General Assembly may see fit to adopt, I think it absolutely essential that a commission shall be constituted, in whom the public have confidence, to ascertain and report all facts connected with the public debt, so that some definite conclusion may be reached by the Legislature as to the true, legal, equitable liabilities of the State. This commission should likewise ascertain from the creditors their views as to what final and honorable settlement can be made of their claims. Considering the enormous losses of the State, in able bodied men slain or disabled—in the sudden overturning of the system of labor—in the destruction of property—in the insolvency of all its banks, and the loss of their circulating medium—in the ruin of crops by various causes—in the want of good faith of some of her agents, and in fine, in the countless losses

and disasters of a people conquered after a long and desperate war, the creditors ought to be reasonable and willing to compromise; and certainly it is not unmanly in our people frankly to confess the facts of their condition, the results of their fruitless struggle.

The above observations are made because I feel painfully anxious on account of the condition of our public debt. Repudiation of our contracts in any shape would leave such a stain on our conscience and our honor, would bring such disgrace, and directly and indirectly inflict such an injury on our people, collectively and individually, that I have felt it my duty to state all the difficulties of the financial situation with the utmost frankness in order to show the necessity of prompt action. Let us ascertain the full extent of our obligations, and then manfully address ourselves to the task of fulfilling them in the most practicable manner which will commend itself to the wisdom and good sense and integrity of the people of the State. If the General Assembly shall see fit to authorize the appointment of a commission, as above suggested, it may be advisable to defer maturing any financial plan until their report shall be presented, and perhaps by that time such renewed prosperity may, in the providence of God, be vouchsafed to us as will demonstrate our ability to meet all just demands, and infuse into our people the disposition to bring back to North Carolina her ancient proud financial reputation.

CONDITION OF SOCIETY.

It is a matter of unfeigned regret to me to feel obliged to call the attention of the General Assembly to the disorganized condition of society in our State. I shall not consume your time be entering into a detailed statement of the extravagances and crime which have been committed in various localities within our borders. They are fresh in the recollection of all. Their commission has brought reproach upon our people, and the material interests of the State have been most seriously

and injuriously affected by them. The tide of immigration which at one time seemed to be setting towards our shores has been driven back, and thousands of persons, with millions of capital have been deterred from settling among us, by the tales of horrors which have reached their ears as occurring almost daily in some portions of the State.

It behooves you, gentlemen, to take this matter into your serious consideration, and to devise means, and enact such salutary laws as will restore peace and good feeling among our people, and deter evil disposed persons from taking the law into their own hands and becoming the executioners of unauthorized judgments. Until this be done, and the civil law is made to reign supreme in the State, and its ministers are respected, and their hands upheld and strengthened, there will be no peace, prosperity, or real happiness among our people. What greater good, then, can you accomplish than to strive by wise and prudent legislation, divesting yourselves of all party prejudices, to put down and utterly exterminate all unlawful combinations, by visiting upon offenders such a measure and such a certainty of punishment as will deter them from further prosecuting their nefarious purposes, and give to the law-abiding class of our people assurances of protection in the enjoyment of their lives, liberties and rights, both of person and property? Do this, and in a very short time immigration will begin to flow to our State; our waste places will be built up; our soil will grow with the rich products of the earth; our deserts will be converted into gardens, and our whole people will dwell together in such unity as becomes a civilized and christain community.

EDUCATION.

I desire, gentlemen, in an especial manner to call your attention to the educational interests of our State. No people can be prosperous or happy who are bound in the chains of ignorance, and who have not faculties for bursting assunder the fet-

ters which dwarf their minds and cripple all the nobler faculties of their nature. It may be said that North Carolina is too poor to do more than she is now doing for the cause of education. It may be imprudent at this time to place additional burdens on the people in behalf of our University or any of the colleges or high schools in our midst; but we are far behind the people in the cause of common schools. It is much better that *all* shall receive the rudiments of a good English education, be taught to read fluently, write legibly and understand the use of figures, than that a *few* shall be educated in the higher branches of polite literature, and imbued with a knowledge of the dead languages, and made proficients in the higher branches of art and science. The one is absolutely needed to make our men and women good and useful citizens; while the other may be dispensed with until a new era of prosperity shall dawn upon us, and enable us to rebuild and rehabilitate the University, and establish throughout our borders colleges and schools of high grade and character. Go to work, then, gentlemen, and resolve that every child in the State shall be taught to read and write—that those who are not able to educate themselves shall be educated by the State—that in the next decade every person between the ages of ten and twenty years, who is of sound mind, shall be able to read the Word of God, and the Constitution and laws of the country. Fear not to levy tribute for this glorious cause. It will be like bread cast upon the waters: "Thou shalt find it after many days."

THE UNIVERSITY.

With regard to the University of the State, a principal obstruction to its success is its pecuniary embarrassments, for which, as far as I can judge, the board of trustees are in no wise responsible. The principal debt, amounting to about sixty thousand dollars, was incurred, and a mortgage made to secure the same before they came into office. In 1868 the patronage of the Institution had been reduced to less than one hundred

students. Prior to this time, however, the principal portion of its endowments had been lost by unfortunate investmen ts Until the institution is relieved from debt, and its property from incumbrance, there can be but little hope of its success or usefulness. In my opinion an honest and faithful effort was made to lift the University from the condition in which it was found at the close of the late war. This met with little or no favor from the class of persons by whom it was crushed. They have not aided the officers in their efforts to build it up. Public opinion has been moulded against it by the most unscrupulous misrepresentations, and by violent appeals through a partizan press. Those who would have patronized it were threatened with social ostracism. The young were deterred from entering its halls, and parents very naturally hesitated to compel the attendance of their sons, and now the case of failure is imputed by some, to the Trustees and Faculty. The remoteness of Chapel Hill from the railroad is believed by many to be in the way of its prosperity. It is more difficult of access than other colleges, but this is a matter of minor importance.

The foregoing are some of the difficulties with which the University has had to contend. Just prior to the late election a spirited controversy began in some of the religious newspapers, in which it was proposed to abolish the Uuniversity. This, I imagine, was in view of the calling of a convention. Those who have since pursued the controversy seem to have done so without adverting to the change in the situation.

The Constitution of the State not only contemplates the continuance of the University, but actually prescribes rules for its management. The corporation cannot be dissolved while the present Constitution stands. It has been suggested that the trustees should sell so much of the property as is situated at Chapel Hill and purchase a more eligible location elsewhere. From such a sale, at this time, the trustees would probably not realize half the actual value of the property, and it could result in no more, if as much as the bare payment of the debts and leave the board without the means of future operations. I can-

not believe that such a proposition will meet with any favor in any quarter at the present time.

Under all these circumstances I recommend the Legislature to adopt such measures as in its wisdom will secure the interests of the State from a great loss, and prevent the property of the University from a forced sale for the payment of debts. Then close the doors of the institution until more prosperous times. In the meantime give to the Superintendent of Public Instruction power and authority to take all the property into his possession, and make such a disposition of it by lease from year to year, as to him shall seem most conducive to the interests of the University and the State—requiring from the lessee a bond with ample security for the safe keeping and good care of said property, and also for the annual payment of the rents until the expiration of the lease.

SUFFRAGE.

The greatest bulwark of civil liberty, and the one best calculated to promote and make perpetual the freedom of the citizen, is the right of suffrage. The sovereign people are the rightful custodians of power in all well regulated governments. Upon them fall all the burdens of keeping the machinery of State in running order. They furnish the means to build up your schools and colleges; to make your railroads and canals; to erect your asylums and charitable institutions; to sustain your ministers of law; to repress domestic violence and to defend our country against invasion from a foreign foe. For these services they ask nothing in return but the right to choose their agents of government and their representatives in the nation and State, and the enactment of such laws as will protect them in the enjoyment of all the rights and privileges accorded to them by the constitution and laws of their common country. While the people have the privilege to select their own law-makers without let or hindrance—while they feel free to march up to the ballot box and vote according to the dictates of their own

better judgments—while they have ample and unrestricted opportunities to exercise this inestimable right, there need be no fear for the perpetuity of our republic. Then, gentlemen, it is your imperative duty to make the ballot box as accessible to the people as it is possible to make it. Throw no obstructions in the way of a free ballot to those who are entitled to vote. Let the poorest and humblest individual in our State feel that he is as welcome at the polls as is the richest and mightiest man in the land. Cause him to feel that if he is made to bear the heat and burden of the day in time of danger, when the sons of our soil are called upon to defend our rights on the battle field, so in time of peace he is welcome to all the immunities, privileges and franchises which his valor secured. I therefore warn you not to place the ballot box beyond the reach of any of our people who are rightfully entitled to approach it. Throw no troublesome obstacles in their way. Give them no just cause to complain of oppression, injustice or a withholding of any of their rights, but aid and encourage them in all their efforts to discharge their duties as becomes freemen. In order to accomplish this end, I think it necessary to amend the law now in force, so that the elector may have the right to deposit his ballot at any election precinct in his county. There is no good reason why he shall be restricted to the township in which he resides. It often happens, under our present system, that a voter is forced to travel a much greater distance to reach a polling place in his own township than he would be to one in an adjoining township. I am also of opinion that registration ought not to be allowed on the day of election, and that no voter should be challenged except at the time of registration, and it should be the sworn duty of every registrar to challenge every one who applies to be enrolled as a voter, unless he knows of his own knowledge that he is legally entitled to be enrolled. Many persons have been prevented from exercising the right of suffrage by reason of evil minded persons challenging their rights on frivolous grounds, so as to consume the time within which the polls are to be kept open. This

evil should be remedied, and I know of no other way in which it can be done, unless it be by extending the time of voting throughout two days instead of one. The law should also provide that a voter may deposit all his ballots in the same box instead of requiring a multiplicity of boxes to receive the various ballots for the different officers to be voted for. It is a notorious and lamentable fact that a large number of the electors in North Carolina, of both colors, are uneducated and not able to read, and under the present system of voting, where persons are required to vote by ballot, and to have a separate ballot for every person voted for, many of the tickets necessarily find their way into the wrong box and are discarded as blanks, and thus the voter is by law cheated out of his choice. I take it for granted that every law-maker is not only willing but is desirous, that every man entitled to vote shall exercise the privilege, and shall have every facility for exercising it, and that it will be the aim of this General Assembly to amend the law upon this subject so that the evils and difficulties above enumerated may be remedied and avoided. It may be said that frauds will be perpetrated more readily if persons are permitted to vote in townships other than the ones in which they reside. In reply to this objection it is only necessary to refer to the former method of voting in North Carolina, under which there were few frauds perpetrated and seldom a complaint made; and now with the additional safeguard of registration it will be almost impossible for any one not qualified, to avoid detection in an attempt to vote illegally. If, however, any one shall succeed in eluding the vigilance of the poll holders, and vote when he has no legal right to do so, then let the severest penalties of the law be visited upon the offender; and in order to deter every one from the commission of this offence, I recommend the General Assembly to subject any one convicted of wilfully and knowingly casting an illegal vote at any election, to punishment for at least two years in the State's prison, and a deprivation of the right of suffrage for a term of years thereafter. The purity and inviolability

of the ballot box must be preserved; and he who is so corrupt as wilfully to invade and prostitute it, should be made to know that he will be held to a strict and fearful accountability.

CONSTITUAIONAL AMENDMENTS.

The subject of amending the Constitution has been agitated for some time before the people, and many well informed persons differ among themselves as to what amendments shall or ought to be made. I am free to confess, gentlemen, that I feel a very great reluctance to make any recommendations to you upon the subject, although my individual opinion is that the instrument may be very improved in some of its provisions. The question of calling a Convention for the purpose of revising and amending it has recently been before the people themselves, and by a large vote, and in an emphatic manner, they declared against amending it, at least in that way. It may be that they believe the clamor raised for a change of the organic law was due more to legislation under the Constitution than to any defects in the Constitution itself, and that the greater portion of the grievances complained of might and should be removed or amended by wise and prudent legislation. In this opinion I heartily concur. The Constitution is not to blame for the high salaries and fees paid to various State and County officers; neither it is censurable for the great length of time consumed by the present and preceding General Assembly in enacting laws; nor can it be held responsible for the extravagant appropriations made for railroads and other works of improvement. There is nothing in said instrument which fixes salaries and fees, or prescribes the length of your sessions, or which directs the lavish appropriation of money. All this is done by persons chosen by the people themselves to be their law-makers, and upon these law-makers, who have been faithless to the trusts confided to them, and not upon the Constitution, should be visited the condemnation of their constituents. They are the parties to

be held responsible for a betrayal of the people's confidence. Unfaithful stewards who have not improved the talents committed to their keeping, they should be reckoned as unprofitable servants and no longer worthy of public confidence. Then I entreat you to retrace any false steps which have been taken. Be diligent in the discharge of your legislative duties ; go to work without unnecessary delay ; enter at once upon the public business, &c. ; bring your labors to a close at the earliest possible moment consistent with with the public good.

I recommend the following amendments to the Constitution:

First. Let Section 2, of Article II, be so amended that the General Assembly shall meet biennially on the third Monday in November, instead of annually, and that it shall not remain in session for a longer time than seventy days, unless the seventieth day occurs on Saturdary on Sunday, and in that case it may be prolonged to the seventy-first or seventy-second day, and further that if it remain in session a longer time, the members shall receive no pay after the seventy-second day.

Second. Let the fifth Section, of the same article, be so amended as to abolish the provision for taking a census of the State in 1875, and every ten years thereafter.

Third. Let the 4th Section of Article IV be so amended as that a court shall be held in each county three times during each year, to continue one week unless the business shall be sooner disposed of.

Fourth. Let the 4th Section of Article V be expunged from the Constitution, as it, in my opinion, is unnecessary, and is only a bone of contention for politicians to wrangle over.

Fifth. Let the 10th Section of Article XI be so amended as that those who are so poor as to be unable to provide for themselves shall be provided for at the expense of the State.

In my opinion the people will be content with the present Constitution, if amended in the particulars above referred to ; and I feel by no means confident that they desire all the

amendments which I have enumerated. Each amendment proposed should be separately submitted to the people for their ratification or rejection.

SWAMP LANDS.

The Board of Education still has control of a large body of swamp lands which it is desirable to utilize as early as practicable. These lands have been for a generation practically withdrawn from market and from settlement, and although portions of them are undoubtedly of great fertility they have remained, under the policy hitherto pursued, not only entirely valueless as a source of revenue for purposes of education, but a constant source of trouble and expense to the Board. It seems better to realize even a small part of what they are actually worth, than to continue longer a policy which has been demonstrated to be an expensive failure. For, in the first place, the cause of education can never be in greater need, than now, of the funds which might be derived from their sale; and in the second place, it is more than probable that the amount which might be realized from them now, would if simply placed at interest exceed any sum they will probably bring hereafter, (just as the quarter of a million of dollars, which has already been expended on them, would by this time have amounted to a much larger sum than we shall ever be able to realize from them,) and in the third place is to be considered the indirect benefit to the State, both economically and educationally, of the development of an immense amount of taxable values from the immediate utilization of such vast quantities of timber and of farming lands. It is plain that these lands can never be disposed of in small parcels to individual farmers, because they can only be drained successfully in large bodies; and if the Board had at command a fund sufficient to drain them, the advisability of the policy would be more than doubtful; first from the disastrous experience already so expensively acquired, and second from the reason of the thing, as it would necessitate

the employment of a corps of surveyors and engineers and contractors for many years at the expense of a million or more of money, and then the establishment of a land office or agency or other cumbrous apparatus for the successful wielding of which the Board is manifestly not properly organized or in any way qualified. So that the only course left seems to be to dispose of these lands in large bodies as fast as purchasers can be found who will pay a reasonable price, and who will enter into obligations to settle upon and develope them.

GEOLOGICAL SURVEY.

The progress of the geological survey, with its principal operations and results, will be presented to you in the report of the State geologist shortly to be submitted. The wisdom of the Legislature in establishing and sustaining this important work is abundantly justified by the result already manifested in the increasing interest both of our own people and of others in the varied resources of the State; in its minerals, soils, marls, peats and forests, and in the movements already inaugurated for the developement of these interests. The attention of capitalists and manufacturers has been effectively attracted to the superior quality and immense quantity of our iron ores, in which large investments have recently been made with a view to their development on a large and permanent scale, and at the same time operations have been resumed in the coal deposits of Deep and Dan rivers, and the re-opening of a number of copper mines; and the works, now for the first time undertaken, indicates a better prospect than ever before of the profitable and permanent working of all the best mines of this metal in the State. And there are evident indications of increasing activity in other directions.

But the paramount importance of the survey is perhaps most conspicuous in its bearings upon the improvement of our agricultural interests, and its obvious and essential instrumentality in the estoblishment of this leading industry upon a better and

more scientific basis, through the diffusion of a knowledge of the qualities and adoption of our various soils and climates, and of the means and methods of fertilization.

You will find in the growing collections of the State museum the palpable and impressive exposition of the utility and progress of this department; and for the zeal and untiring energy and industry of Professor Kerr, our State Geologist, I desire, as it is both my pleasure and duty to do, to commend him to the favorable consideration of your honorable body.

IMMIGRATION.

The State of North Carolina has such superior advantages in point of geographical location; in climate and soil; in the variety of its products; in its freedom from the extreme rigors of the North, and from the enervating heat of the South; extending more than five hundred miles from the sea shore, and nearly two hundred miles in width; embracing nearly every variety of soil and production, as to render her one of the most inviting fields for immigration that can be presented to those who are in search of permanent homes for themselves and their posterity. All these beneficent gifts of Povidence are offered to those who may settle within our borders; and no people under the sun, are more blest with every requisite to make a great and prosperous State, than are the people of North Carolina.

Our mineral wealth is only equalled by our agricultural products. The coal and iron of the Deep and Dan rivers, capable of affording profitable employment to thousands of operatives, do not exceed in richness the gold, the copper, the silver, the lead and marble to be found in our more western territory. Lime and marle also abound in various counties of the State both East and West. Shall we neglect or discard the means of utilizing what is placed within our reach, or shall we devote our energies to realize for ourselves and our children a name and a rank among the foremost and most prosperous States in

the Union? Let not those who are to come after us say that our fathers had opportunities to secure for themselves and for us some of the wealth and population and advantages which enrich the fair field of the great North Western States, but failed to avail themselves of them; that teeming thousands might have been enticed to our State in the years that are past, but no vigorous or well directed effort was made by our ancestors to induce them to come, and now they are lost to us forever. Let not these things be said of us, but let us resolve to develop the boundless resources of our State, and make North Carolina a brilliant gem in the galaxy of the great States which compose our glorious Union.

What we most need is capital. Our condition will for a long time remain as it is unless we send words of encouragement, cordial in their widest sense, to those abroad, and invite them to come, assuring them that we wish them to make their homes in our midst—that our laws shall protect them and that no invidious distinction shall be made to their social or political prejudice.

The Northern and Northwestern States are straining every nerve and making every exertion to allure to their borders every immigrant who comes to the United States. The most tempting offers are made to induce them to make their homes in the far west. Free gifts of land and free transportation are constantly tempting the masses to follow in the wake of those who have preceded them, and the result is that thousands of good men are flocking to those States while very few, comparatively speaking, are taking up their abode in North Carolina.

At the last session of the General Assembly the office of Commissioner of Immigration was established, and a gentleman well qualified for the position was selected to fill it. His duties were not defined, nor is he required to make a report of his operations. I have learned that his efforts to induce immigration to our State, considering the small means at his command, have met with considerable success. Under the

act of Assembly, assistant commissioners have been appointed in England, Scotland, France and Germany, by means of whom a foundation has been laid upon which to build up good results for our State. The commissioner, with the aid which he has received from his assistant in England, has succeeded in establishing a line of steamers from Liverpool to Norfolk, where an office has been established to receive and forward immigrants coming to our State.

I would respectfully suggest that the duties of the commissioner be more particularly defined, and that he be allowed a reasonable compensation for his services. Whatever legislation upon this important subject you may, in your wisdom, deem necessary to increase the prosperity and develop the resources of the State, it will be my pleasure to see faithfully executed.

THE STATE AGRICULTURAL SOCIETY.

I desire to direct your attention to the development of the agricultural, mechanical and other industrial interests of the State, especially to the agricultural, as the foundation of all the wealth and prosperity of our land, should your protecting care be directed. To effect this great object, the North Carolina Agricultural Society, and all of the Societies of a similar nature, should be encouraged and fostered in every practicable manner. Certainly the most beneficial results are attained by collecting at the annual Fairs specimens of the industry and wealth of every section, and exhibitions of the most improved implements and machinery. Our people can thus become acquainted with the processes and ideas of the most advanced, in their respective departments of labor. They are thus enabled to throw off the lethargy and inertia so liable to be contracted by those residing constantly at a distance from the centres of population and wealth.

At the close of the late war, our Agricultural Society was prostrate. Its grounds had been for years occupied as a camp

or hospital successively by the armies of the late Confederacy and of the Union. The officers of the Society have, with commendable zeal, mainly by the collection of funds from the citizens of Raleigh, aided by small contributions from the State, been able to inaugurate Fairs which have given great gratification and instruction to large numbers of our citizens. It seems to me that it would be best for every Agricultural Society in the State to be represented in the State Agricultural Society. Instead of having separate, isolated institutions, let us have a regular organization—each County or District Society sending delegates to the State institution; taking part in its deliberations; contributing to its exhibitions; aiding in its success, and thereby showing, by regular system and organized action, the best products of the State, its capabilities and resources. There should be no disposition to regard the Society as merely local—as belonging to Raleigh or to the central portion of the State. We ought to have pride in displaying to the world a fair sample of the productions of every county. This can only be done by harmonious co-operation by all local organizations with one single central institution, easy of access to the inhabitants of the East and West, the North and the South. The best results would flow from the generous rivalry of different sections, and the spirit and enterprise aroused by this emulation would stimulate all district and county organizations to greater exertions and to more abundant success.

THE INSANE ASYLUM.

The annual report of Dr. Eugene Grissom, the worthy Superintendent of the Insane Asylum, shows in detail the operations of the Institution for the last official year. Its affairs have been managed with marked ability and success. There are evidences in every department that vigorous measures have been adopted for the care and comfort of the patients, for the improvement of the buildings and premises, and for

bringing the grounds and farm into a higher and better state of cultivation and preservation. The finances appear to have been prudently and economically managed, and the expenses of the fiscal year ending on the 31st of December will not exceed the appropriation.

The Institution is filled to its utmost capacity with the unfortunates of our race, and there are now about two hundred and fifty applications for admission on file, which cannot be favorably responded to for want of room. The advantage of early treatment in cases of insanity is universally conceded, and it is a sacred duty we owe to the afflicted, to their families and to society to provide facilities for their care and cure. Many of these unfortunates are under constant restraint in different parts of the State; some of them manacled at home, while others are confined in loathsome dungeons of common jails, thus placing misfortune on a par with crime. Considering the necessity for greater accommodations for the insane, the great distance many of them have to be transported at a heavy expense in order to reach the asylum at Raleigh, and the amount of money appropriated by law for the support and maintenance of such as must necessarily be kept at home, I submit to the General Assembly if it would not be more economical and much more convenient to erect another asylum in the western part of the State either at Morganton, Marion or Asheville. This ought speedily to be done or additional accommodations must be made at the present asylum, or a very great number of insane persons will be left unprovided for, or thrown upon the cold charity of the world.

Before dismissing this subject it is my agreeable duty to commend to your kind consideration the most excellent Superintendent and his able corps of assistants and employees for the faithful and satisfactory manner in which they have discharged their arduous and responsible duties.

THE DEAF AND DUMB AND THE BLIND.

The Institution for the Deaf and Dumb and the Blind has, according to my information, been well managed, and its affairs economically and satisfactorily administered. For a detailed account of which I refer you to the report of the Principal of the Institution and commend such suggestions as he makes for its further improvement and usefulness to your favorable consideration.

PENITENTIARY.

The work on the State's prison is progressing as rapidly as the limited means at the disposal of the directors will justify, and great credit is due to the contractors for the faithful manner in which they are performing their obligations. I am not sufficiently familiar with all the minutiæ of the work as to give you an intelligent statement of its progress or to say when it will be ready for the reception of convicts. For this information and for its past management and present condition, I refer you to the report of the directors, which no doubt gives a satisfactory account of their stewardship, and of the work committed to their care and supervision.

PARDONS AND COMMUTATIONS, &C.

In connection with the subject of the penitentiary I desire to call your attention to the accompanying statement marked A, showing the number of pardons, reprieves and commutations of punishment which have been granted during the time I have exercised the functions of Chief Executive of the State, together with the reasons which moved me to the exercise of such clemency.

MILITIA.

The constitution declares that a well regulated militia is necessary to the security of a free State. If this be true, then it is also true that North Carolina is not secure in the sense contemplated by the constitution; for it is a well known fact, that our militia is not well regulated, neither can it be under the laws now in force. I do not deem it necessary or proper for one so inexperienced in military matters as I confess myself to be, to make any suggestions to your honorable body as to the amendments necessary to be made in the law relative to the militia. This work I commit to your superior knowledge and judgment, inviting your attention to the report of the Adjutant General, which is herewith submitted, and in this connection I deem it proper to call attention to the inadequacy of the salary of this important officer whose labors are so arduous, and whose responsibilities are so great.

INSURANCE COMPANIES.

By invitation of the National Insurance Convention of the United States, lately in session in the city of New York, I appointed William H. Finch, Esq., as special agent to represent North Carolina in that body. There is no law requiring or authorizing the appointment of such an agent, and it was done only as an act of courtesy to a highly respectable body asking it to be done. The State incurred no expense whatever by reason of this appointment. Mr. Finch has made a very interesting report of the proceedings of the convention, which is herewith transmitted to you, and from which you will be enabled to gather useful information, if you shall desire to legislate with regard to the operation of Insurance Companies in North Carolina.

RESIGNATIONS, APPOINTMENTS, &C.

Hon. Thomas Settle, Assistant Justice of the Supreme Court, resigned that position on the 31st of March last. I immediately appointed Hon. Samuel F. Phillips to fill the vacancy. He declined on the 5th day of April to accept the appointment. The place was then tendered to Hon. Nathaniel Boyden, who accepted, and entered upon the discharge of the duties of the office on the 3d day of May.

Hon. W. E. Jones, Judge of the Second Judicial District, resigned on the 1st day of April, 1871. Hon. W. A. Moore was appointed to succeed him, and accepted on the 4th day of April.

On the 2d day of May, I was notified of the death of Jacob Siler, Esq., agent of the State for the collection of Cherokee bonds. E. P. Kincaid, Esq., of the county of Cherokee, was appointed to fill the vacancy; he declined, and on the 24th of August, a commission was sent to William Beal, Esq., of the same county, who has neither accepted nor declined the position. The business and responsibilities of this office having materially decreased since the amount of bonds was fixed by law, I respectfully recommend that the bond of the agent be correspondingly reduced.

George Z. French, Esq., a member of the House of Representatives from the county of New Hanover, tendered his resignation as such on the 1st of July, his resignation was accepted, and an election to fill the vacancy ordered for the 3d of August.

S. F. Thomlinson, Esq., a member of the House of Representatives from the county of Randolph, having been elected principal of the Institution for the Deaf and Dumb and the Blind, resigned on the 3rd of July, and an election to fill the vacancy was ordered to be held on the 3rd of August.

General A. W. Fisher tendered his resignation as Adjutant General early in August, and General John C. Gorman, of Wake county, was appointed and commissioned in his stead.

Rev. S. S. Ashley resigned the office of Superintendent of Public Instruction on the 30th of September, whereupon Professor Alexander McIver was appointed and commissioned to fill the vacancy, and immediately entered upon the discharge of the duties of his office.

J. H. Hill, Esq., a member of the House of Representatives from the county of Iredell, resigned on the 7th of October, and an election to fill the vacancy ordered to be held on the 16th of November.

R. S. Ledbetter, Esq., Senator from the 28th district, resigned on the 11th of October, and an election to fill the vacancy was ordered to be held on the 16th of November.

EXECUTIVE MANSION.

By virtue of authority vested in me by the present General Assembly at its last session, I caused the Executive Mansion to be rented out at public auction on the 6th of May last, for the residue of the year; the price for which it is rented is $405.00, secured by note, which fell due on the 1st day of the present month.

REPORTS.

Accompanying this communication will be found reports from State officers and the principals of the charitable institutions, &c., which are particularly commended to your attention.

CONCLUSION.

And now, gentlemen, having discharged my duty in an imperfect, but sincere and candid manner, I again commend you and your labors to the wise superintendence and over-

sight of the Great Law-maker of the Universe, with the assurance that it will always afford me pleasure to co-operate with your honorable body in every effort to build up and establish the fame and prosperity of our beloved State.

TOD R. CALDWELL,

Executive Department, Raleigh, Nov. 20, 1871.

APPENDIX.

PARDONS, COMMUTATIONS AND RESPITES GRANTED DURING THE YTAR 1871.

1. JACOB MANUEL, (colored,) convicted at Spring Term, 1870, of Cumberland Superior Court, of murder, and sentenced to be hanged Dec. 16, 1870. Respited to Feb. 3, 1871. On the 25th of January, 1871, the sentence was commuted to imprisonment for life in the penitentiary. Application signed by Hon. T. C. Fuller, and a very large number of citizens of Cumberland, both white and colored. The evidence on which he was convicted was entirely circumstantial.

2. MARTIN BARTLEY, (white,) convicted of larceny at Fall Term, 1870, of Guilford Superior Court, and sentenced to ten months imprisonment in the penitentiary. Pardoned January 26, 1871. Application endorsed by C. P. Mendenhall, Ralph Gorrell, D. F. Caldwell, John N. Staples, Judge Tourgee and Solicitor Bulla.

3. ZACHARIAH SMITH, (white,) convicted of assault and battery at Fall Term, 1870, of Burke Superior Court, and sentenced to six months imprisonment. Pardoned January 28, 1871, on payment of costs, on the recommendation of S. C. W. Tate and a large number of influential citizens.

4. JAMES MANSFIELD, (white,) convicted of the larceny of

growing corn, at Fall Term, 1870, of Perquimans Superior Court, and sentenced to three years imprisonment in the penitentiary. Pardoned Feb. 17, 1871, to take effect from and after May 20, 1871. The petition was signed by a very large number of citizens.

5. WILLIAM LEE, (white,) convicted of assault and battery at Fall Term, 1870, of Onslow Superior Court, and sentenced to fourteen months imprisonment. Pardoned April 19, 1871, on the recommendation of J. V. Sherrard, Solicitor, Jasper Etheridge and a number of prominent citizens.

6. JOSHUA COTTLE, (white,) convicted of larceny at Fall Term, 1869, of Duplin Superior Court, and sentenced to five years imprisonment. Pardoned April 19, 1871, upon the recommendation of the presiding Judge, and a number of prominent citizens of Duplin, who believed the ends of justice had been satisfied by the imprisonment already endured.

7. ISAAC DIXON, (colored,) convicted of larceny at Spring Term, 1870, of Person Superior Court and sentenced to twelve months imprisonment. Pardoned May 8, 1871, on the recommendation of Judge Tourgee, Judge Reade, J. Younger, (the prosecutor) and a large number of influential citizens of Person county.

8. WIL-SAW-YAH, (Indian,) convicted of larceny at Spring Term, 1871, of Jackson Superior Court, and sentenced to five years imprisonment in the penitentiary. Pardoned May 23, 1871, on the recommendation of Hon. A. T. Davidson and the acting Solicitor. This man was convicted of stealing a horse from another Indian. Neither the prisoner, the prosecutor nor any of the witnesses understood one word of English, and the testimony was taken by means of an interpreter.

9. RICHARD DRIVER, (white,) convicted of larceny at a Special Term of Wake Superior Court, in 1869, and sentenced to ten years imprisonment in the penitentiary. Pardoned June 3d, 1871, on the recommendation of Mr. Solicitor Cox, the Board of Directors of the penitentiary, and Dr. Hill,

physician to the penitentiary, who certified that the prisoner was suffering with consumption.

10. Blount Tompkins, (white,) convicted of larceny at Spring Term, 1870, of Guilford Superior Court, and judgment suspended on payment of costs. Pardoned June 17, 1871. Petition signed by Judge Tourgee, (who tried the case) Gen. W. L. Scott, Abram Clapp and W. V. Stiner. The party was convicted of the larceny of five pounds of soap, the testimony was conflicting and the previous good character of the accused was clearly proved.

11. John Sadler, (white,) convicted of larceny at Fall Term, 1869, of Moore Superior Court, and sentenced to five years imprisonment in the Penitentiary. Pardoned June, 22, 1871, on the recommendation of Judge Buxton, Mr. Solicitor McKay, and other prominent citizens.

12. Jim Coppedge, (colored,) convicted of Murder at Special Term, 1871, of Anson Superior Court, and sentenced to be hanged. Respited, July 8, 1871, on the recommendation of Judge Buxton, Walter L. Steele and others, till December 1, 1871.

13. Arthur Dennis, (white,) convicted of Murder at Spring Term, 1869, of Pitt Superior Court, and sentenced to four years and six months imprisonment in the Penitentiary. Pardoned July, 10, 1871, on the recommendation of the Directors of the Penitentiary and a large number of the leading citizens of Pitt county.

14. Allen Turner, (colored,) convicted of larcency at Fall Term, 1870, of Northampton Superior Court, and sentenced to four months imprisonment in Northampton Jail. Pardoned, July 12, 1871, on the solicitation of Hon. D. A. Barnes, W. W. Peebles, and a large number of leading citizens of Northampton.

15. Mills Melton, (colored,) convicted of larceny at Spring Term, 1871, of Hertford Superior Court, and sentenced to five years imprisonment in the Penitentiary. Pardoned August 14, 1871, on the recommendation of Judge Pool, Mr. Solicitor Albertson, and others.

16. CHARLES JONES, (colored,) convicted of manslaughter at Spring Term, 1870, of Craven Superior Court, and sentenced to ten years imprisonment in the Penitentiary. Pardoned September 22, 1871, on the recommendation of Judge Manly, C. C. Clarke, J. H. Haughton, Judge Clarke, and other leading citizens of Craven.

17. JACKSON, (white,) convicted of burglary, at Spring Term, 1871, of Wake Superior Court, and sentenced to five years imprisonment in the Penitentiary. Pardoned October 3, 1871, on the recommendation of the presiding Judge and a large number of the best citizens of Wake.

18. GEORGE W. RHODES, (white,) convicted of assault with attempt to commit rape, at Winter Term, 1869, of Pasquotank Superior Court, and sentenced to fifteen years imprisonment in the Penitentiary. Pardoned Oct. 4, 1871, on the recommendation of Judge Pool, Mr. Solicitor Albertson, Judge Brooks, Col. W. F. Martin and two hundred and forty others, embracing many leading citizens of Pasquotank, without regard to race or party.

19. WASHINGTON SHARPE, (colored,) convicted of larceny at Fall Term, 1870, of Perquimans Superior Court, and sentenced to three years imprisonment in the Penitentiary. Pardoned Oct. 13, 1871, on the recommendation of the presiding Judge and a number of prominent citizens of Perquimans.

20. CHARLES GILMER, (colored,) convicted of rape at Fall Term, 1871, of Guilford Superior Court, and sentenced to be hanged. Sentence commuted to twenty years imprisonment in the Penitentiary Oct. 21, 1871. Commutation asked by Gen. J. A. Gilmer, C. P. Mendenhall, Judge Tourgee, a majority of the jury which tried the case and others, on the ground of youth and stupidity of the prisoner.

21. ALFRED GILMER, (colored,) convicted of murder at Spring Term, 1871, of Guilford Superior Court, and sentenced to be hanged Oct. 27, 1871. Respited, Oct. 23, 1871, until Dec. 1, 1871, on the recommendation of many prominent citizens of Guilford.

22. Robert M. Salts, (white,) convicted of larceny at Fall Term, 1869, of Buncombe Superior Court, and sentenced to three years' imprisonment in the Penitentiary. Pardoned Oct. 25, 1871. Salts was convicted of larceny of three pounds of tobacco and a pad lock. The pardon was recommended by the presiding Judge, and a number of the first citizens of Buncombe. Also by Dr. Hill, physician to the Penitentiary, on the ground of the long continued ill health of the prisoner.

23. Joseph Staley, (colored,) convicted of larceny at Spring Term, 1870, of Randolph Superior Court, and sentenced to two years imprisonment. Pardoned October 27, 1871, at the request of Mr. Solicitor Bulla and citizens of Randolph, who thought the ends of justice had been secured by the imprisonment already suffered.

RECAPITULATION.

Number of pardons granted,	19
Number of respites granted,	2
Number of commutations granted,	2

Twelve of the parties were white; ten colored, and one Indian.

Of the PARDONS granted, 2 were convicted of assaults and battery; 1 of manslaughter; 1 of burglary; 1 of rape; 1 of murder; and 13 of larceny.

Of the COMMUTATIONS granted, 1 was convicted of murder, and 1 of rape.

Of the RESPITES granted, 2 were convicted of murder.

A message was received from the Senate transmitting a resolution to raise a Joint Committee on Constitutional Reform, to consist of six members on part of the Senate and nine on part of the House.

The resolution was, on mention, concurred in, and the following members were appointed House branch of said committee, to-wit: Messrs. Johnston of Buncombe, Gregory, Hargrove,

Sparrow, Stanford, Lucky, Phillips, Broadfoot and Guyther, and a message was sent to the Senate announcing concurrence and the appointment of the committee.

When, on motion, the House adjourned.

WEDNESDAY, NOVEMBER 22d, 1871.

The House met at 10 A. M., Mr. Welch in the chair.

Prayer by Rev. Mr. Tucker, of the House.

The Journal of yesterday was read and approved.

INTRODUCTION OF RESOLUTIONS.

By Mr. Strudwick: A resolution concerning the State debt, (looking to repudiation.) Read and referred to judiciary committee by request.

By Mr. Justice: A resolution to raise a joint committee to investigate the affairs of the public printing. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Robbins: A bill to authorize the commissioners of Bertie to revise the tax list. Read and referred to committee on counties and towns.

By Mr. Anderson: A bill to be entitled an act to reduce the bonds of the Register of Deeds and Probate Judge of Clay county. Read and referred to committee on propositions and grievances.

By Mr. Broadfoot: A bill to be entitled an act to amend and re enact an act to incorporate the Flat Swamp, Locks' Creek and Evans' Canal Company, of the county of Cumberland. Read and referred to committee on corporations.

By Mr. Houston: A bill to be entitled an act to reduce the

per diem and mileage of members and officers of the General Assembly of 1870–'71. Read and referred to committee on salaries and fees.

Mr. Jones, of Caldwell, by consent, introduced a resolution "on public printing," which was, on motion, considered and amended on motion of Mr. Justice, and passed second and third readings, and ordered engrossed.

By Mr. Womack: A bill to be entitled an act to amend an act entitled "an act for the protection of mechanics and other laborers, materials &c., laws of 1869–'70." Read and referred to judiciary committee.

By Mr. Johnston, of Buncombe, a series of bills, each entitled "an act to provide for amending the Constitution of the State."

By Mr. Womack: A bill to be entitled an act to re-enact an act entitled an act to cure certain irregularities in the proceedings in special proceedings.

Read and referred to judiciary committee.

CALENDAR.

Mr. Houston moved to recall bills referred to Committee on Constitutional Reform, for an order to print.

The motion did not prevail.

The following announcement was ordered from the chair:

House branch of Joint Committee on affairs of Public Printing in accordance with resolution of Mr. Jones, "on Public Printing," Messrs. Jones of Caldwell, Justice and Martin.

Leaves of absence, on account of sickness, was granted Messrs. Powell, Page and Young of Wake, until Monday, and to Mr. Broadfoot for two days.

When, on motion, the House adjourned.

THURSDAY, November 23d, 1871.

The House met at 10 A. M., Mr. Sepeaker Jarvis in the Chair.

Prayer by Rev. Dr. Hardy, of the House.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C.

By Mr. Mabson: A petition signed by Jacob Wise and S. T. Potts, citizens of New Hanover, making certain charges against H. C. Jones, Senator from Mecklenburg, and F. A. Strudwick, Representative from Orange, and Lee M. McAfee, Representative from Cleaveland, asking their expulsion from the General Assembly.

Mr. Ashe moved that the petition be not received; withdrawn; and Mr. Jones, of Caldwell, renewed the motion, when the hour for consideration of the special order, being resolution concerning Hon. Z. B. Vance having arrived, it was taken up, and Mr. Welch moved to make it special order for to-morrow at 12 M.

Mr. Luckey moved to amend, by indefinitely postponing the resolution, which he withdrew, for motion of Mr. Jones to postpone consideration of the special order until the matter before the House was disposed of; which motion prevailed. The question recurring on motion to reject the petition, Mr. Jones called the previous question, which call was sustained, and under a call for the ayes and noes, the motion did not prevail. Ayes 43; Noes 53.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Cawthorn, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gore, Henderson, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Maxwell, McAllister, Mills, Nicholson, Paylor, Rankin, Reid, Robinson, Scott, Settle, Shull, Smith of

Alleghany, Smith of Wayne, Stewart, Tucker of Iredell, Warring, Welch, Withers, Wilcox, Woodhouse and Young of Yancey—43.

Noes—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Goodwin, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Houston, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Justice, Kelsey, Kincaid, Loftin, Lyon, Mabson, Marler, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsome, Page, Reavis, Robbins, Smith of Hallifax, Tucker of Craven, Willis, Womack, Williamson and York—53.

Consideration of the special order being resumed, Mr. Luckey moved to lay the resolution on the table.

Mr. Welch called the ayes and noes. The call was sustained and the resolution was tabled. Ayes 77; Noes 11.

Ayes—Messrs. Anderson, Armstrong, Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Cawthorn, Clinard, Collis, Copeland, Crawford, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Goodwin, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Henderson, Houston, Johnston of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Lyon, Mabson, Marler, McAllister, McCauley, Morgan of Moore, Morgan of Wake, Mills, Mitchell, Newsome, Nicholson, Page, Paylor, Rankin, Reavis, Reid, Robbinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Tucker of Iredell, Tucker of Craven, Waring, Withers, Willis, Wilcox, Williamson, Young of Yancey and York—77.

Noes—Messrs. Carson, Currie, Darden, Duckworth, Hinnant, Johnston of Buncombe, Joyner of Johnston, Martin, Stewart, Welch and Woodhouse—11.

The petition from certain citizens of New Hanover, making charges against Senator Jones and Representatives Strudwick and McAtee, was read, when

Mr. Mabson moved to make consideration of the matter special order for to-morrow, at 12 M.

Mr. Withers moved to table the petition, both of which motions were ruled out of order.

Mr. Robinson moved to rejected the petition, which, under call for the ayes and noes, prevailed. Ayes 56; Noes 35.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Bryson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Gambrel, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Woodhouse, Young of Yancey and York—56.

Noes—Messrs. Brooks, Brown, Bryant of Halifax, Bunn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnston of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morgan of Montgomery, Newsome, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven, Willis and Williamson—35.

By consent, Mr. Martin was relieved from duty on Joint Special Committee on affairs of the Public Printing.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on House bill to amend an act to incorporate Flat Swamp, Lock's Creek and Evans' Creek Canal Company.

Mr. McCauley, from Committee on Counties, Towns, &c.,

reported favorably on House bill to authorize the commissioners of Perquimans county to issue bonds.

INTRODUCTION OF RESOLUTIONS.

By Mr. Marler: A resolution concerning the resignation of Hon. Z. B. Vance, U. S. Senator. Read and referred to committee on propositions and grievances.

By Mr. Dudley: A resolution of instructions to the Committee on Military Affairs. Read and placed on the calendar under the rules.

INTRODUCTION OF BILLS.

By Mr. Womack: A bill to amend chapter 178, laws of 1868–'9. Read and referred to judiciary committee.

By Mr. Joyner, of Johnston: A bill to be entitled an act to amend an act in relation to fees of county officers and Supreme Court Clerk. Read and referred to committee on salaries and fees.

By Mr. Clinard: A bill to fix the *per diem* and mileage of members of the General Assembly for the session of 1871, Read and referred to committee on salaries and fees.

By Mr. Dudley: A bill to authorize the commissioners of Craven to levy a special tax to build a bridge across Trent river. Read and referred to committee on counties, towns, &c.

By Mr. McCauley: A bill to be entitled an act concerning suits against railroads. Read and referred to committee on internal improvements.

By Mr. Bean: A bill to amend section 3, chapter 16, of Revised Code, concerning hunting. Read and referred to committee on propositions and grievances.

By Mr. Marler: A bill to amend the Constitution of the State by Legislative enactment. Read and referred to committee on constitutional reform.

By Mr. Willis: A bill to incorporate the Newbern Educa-

tional Association. Read and referred to committee on education.

By Mr. Justice by consent: A resolution to amend the Rules of the House. Read and placed on the calendar.

By Mr. Mills: A resolution to raise a committee to investigate the origin of the petition from certain citizens of New Hanover, introduced by Mr. Mabson. Placed on the calendar.

Mr. Luckey, by consent, was relieved from duty on Committee on Propositions and Grievances.

CALENDAR.

House Bill, to authorize the Commissioners of Perquimans to issue bonds, was considered and passed second reading. Ayes 72; Noes 1.

AYES—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Bryan of Jones, Bryson, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher, Furr, Gambrel, Garrison, Goodwin, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Henderson, Johnston of Buncombe, Jones of Craven, Jones of Northampton, Joyner of Johnston, Kelly of Davie, Kelly of More, Kelsey, Kincaid, Lassiter, Loftin, Lyon, Martin, Marler, Maxwell, McAllister, McCauley, Morgan of Montgomery, Newsome, Page, Paylor, Rankin, Reavis, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Waring, Wilcox, Womack, Woodhouse, Young of Yancey and York—72.

NOES—Mr. Brown—1.

House Bill, to amend and re-enact an act to incorporate Flat Swamp, Lock's Creek and Evan's Creek Canal Company, was taken up and passed second and third reading, and ordered engrossed.

When, on motion, the House adjourned.

FRIDAY, NOVEMBER 24th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Burkhead, of the city.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C., INTRODUCED.

By Mr. Guyther: A petition from certain citizens of Washington, which he stated reflected upon certain members of this House, which reflection he did not endorse. (Petition making certain charges against members of the General Assembly regarding membership in the Ku Klux Klan.)

Mr. Guyther moved that the petition be received, and on the motion, called the ayes and noes. The call was sustained, and the motion did not prevail. Ayes 42; Noes 49.

AYES.—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Carson, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwin, Gullick, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Page, Robbins, Smith of Halifax, Tucker of Craven, Welch, Willis and Williamson—42.

NOES.—Messrs. Anderson, Armstrong, Ashe, Atwater, Cawthorn, Clinard, Crawford, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Hampton, Henderson, Hinnant, Johnston, of Buncombe, Johns, Jones of Craven, Joyner of Johnston, Kelly of Davie, Kelsey, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Tucker of Iredell, Waring,

Withers, Wilcox, Womack, Woodhouse, Young of Yancey, and York—49.

INTRODUCTION OF RESOLUTIONS.

By Mr. Justice, of Buncombe: A resolution in favor of James M. Young, sheriff of Buncombe. Read and referred to finance committee.

INTRODUCTION OF BILLS.

By Mr. Guyther: A bill to incorporate the "University Institute of Rocky Mount." Read and referred to committee on education.

By Mr. Johnson, of Edgecombe: A bill to repeal chapter 171, of acts of General Assembly, at the first session of 1870-'71. Placed on the calendar by request.

By Mr. Willis: A bill to incorporate St. Peter's Lodge, Council of Friends, of the city of Newbern. Read and referred to committee on corporations.

By Mr. Ashe: A bill to be entitled an act concerning the debt of the State of North Carolina. Read and refered to the finance committee.

By Mr. Tucker, of Iredell: A bill to be entitled an act to revise the statutes of North Carolina. Read and refered to the judiciary committee.

By Mr. Smith, of Anson: A bill to prevent the sale of spirituous liquors within two miles of Shiloh Church, Anson county. Read and referred to committee on propositions and grievances.

By Mr. Johnston, of Buncombe: A bill to repeal chapter 29 of laws of 1870-'71. Read and refered to the committee on corporations.

CALENDAR.

On motion of Mr. Drake, bill to repeal chapter 171, laws of

1870–'71, was taken from the calendar and referred to committee on counties and towns.

On motion of Mr. Mills, the resolution concerning the origin of petition from certain citizens of New Hanover, making charges against certain members of the General Assembly was taken up.

Mr. Marler moved to postpone consideration to Tuesday next at 11 A. M.

Mr. Cawthorn moved to indefinitely postpone consideration.

Neither of the motions prevailed.

Mr. Johnston, of Buncombe, moved to postpone consideration till to-morrow at 11 A. M., which motion prevailed.

Mr. Ashe, by consent, introduced a resolution concerning moneys received by the Public Treasurer under Revenue Act of 1871. Refered to finance committee.

Mr. Crawford from Committee on Engrossed Bills, reported as correctly engrossed, resolution on "the Public Printing."

Leave of absence was granted indefinitely to Mr. McNeill, on account of sickness in his family.

By order of the Chair, Mr. Withers takes the place of Mr. Martin on Joint Committee on Public Printing, according to resolution of Mr. Jones, of Caldwell.

A message was sent, transmitting to the Senate for concurrence House resolution "on Public Printing."

House bill, to authorize the commissioners of Perquimans county to issue bonds, was taken up on its third reading and passed. Ayes 13; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Bryan of Jones, Bunn, Cawthorn, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Drake, Dudley, Dunham, Faulkner, Fisher, Furr, Garrison, Gore, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Henderson, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, McCauley, Morgan

of Wake, Mitchell, Newsome, Nicholson, Paylor, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Strudwick, Tucker of Iredell, Tucker of Craven, Waring, Willis, Womack, Woodhouse, Young of Yancey and York—73.

NOES—Messrs. Ashe, Brown, Bryant of Halifax, Goodwin and Page—5.

The calendar being exhausted,

On motion, the House adjourned.

SATURDAY, NOVEMBER 22ND, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Welch, from Committee on Finance, reported, asking reference of resolution of Instruction to the Public Treasurer to the Judiciary Committee. (So referred.)

And same reference of bill to be entitled an act in relation to suits against Railroad Companies. (So referred.)

Mr. Scott, from Committee on Judiciary, reported favorably on bill to change the time for holding the Superior Courts in New Hanover county.

Mr. Guyther, from Committee on Finance, reported favorably on resolution concerning moneys received by the Public Treasurer under the revenue act of 1871.

INTRODUCTION OF BILLS AND RESOLUTIONS.

By Mr. Woodhouse: A bill to be entitled an act to repeal

a portion of section 10, chapter 227, laws of 1870–'71, ratified April 4th, 1871. Read and referred to committee on finance.

By Mr. Henderson: A bill to incorporate the Mount Pleasant Female Seminary. Read and referred to committee on corporations.

By Mr. Harris, of Guilford: A bill "to drain low grounds." Read and referred to committee on agriculture.

By Mr. Waring: A bill to protect *bona fide* purchasers of real estate. Read and referred to judiciary committee.

CALENDAR.

Resolution concerning moneys received by the Public Treasurer under revenue act of 1871, was taken up and amended, on motion of Mr. Jones, of Caldwell, by fixing an enacting clause, and passed second and third readings and ordered engrossed.

House bill: "An act to amend an act fixing the time for holding Superior Courts in New Hanover county," passed second and third readings, and ordered engrossed.

House resolution "of instructions to the committee on military affairs," was taken up and failed to pass.

Resolution to amend the rules of the House was taken up and adopted.

Mr. Johnston, of Buncombe, in the chair.

On motion of Mr. Loftin, resolution to enquire into the origin of the petition of certain citizens of New Hanover, containing charges against certain members of the General Assembly, was taken up.

Mr. Cawthorne moved to postpone consideration indefinitely, and called the ayes and noes. The call was sustained, and the motion prevailed. Ayes 73; Noes 20.

AYES.—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Cawthorn, Carson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Hampton, Harris of

Guilford, Hargrove, Henderson, Houston, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lottin, Lucky, Lyon, Martin, Mabson, Maxwell, McAllister, McCauley, Mills, Newsome, Nicholson, Phillips, Paylor, Rankin, Reavis, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse, Williamson, Young of Yancey and York—73.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwyn, Gwyther, Hardy, Johnston of Edgecombe, Justice, Marler, Morgan of Wake, Page, Robbins, Smith of Halifax and Willis—20.

Mr. Settle, by consent, introduced a bill to be entitled an act to compel clerks of Superior Courts to reside at the county seats. Read and referred to committee on judiciary.

Leaves of absence were granted Mr. Mitchell for one week, Mr. Mills for three days, and Mr. Morris indefinitely.

On motion the House adjourned.

MONDAY, November 27th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Bishop Paine, of M. E. Church South.

The Journal of Saturday was read and approved.

PETITIONS, MEMORIALS, &C., RECEIVED.

By Mr. Anderson: A petition from citizens of Clay county, asking a change of county line between Macon and Clay. Read and referred to committee on counties, towns, &c.

Leaves of absence were granted Messrs. Luckey for three days, Loftin four days from Thursday, and Willis for one week.

REPORTS OF COMMITTEES.

Mr. Crawford, from Committee on Engrossed Bills, reported as correctly engrossed:

Resolution concerning moneys received by the Public Treasurer under Revenue Act of 1871, and

House bill to change the time for holding the Superior Courts in New Hanover County, and a message was sent transmitting them to the Senate for concurrence.

Mr. Maxwell, from Committee on Propositions and Grievances, reported favorably on House bill to prevent the sale of Intoxicating liquors within two miles of Shiloh Church in Anson county.

RESOLUTIONS INTRODUCED.

By Mr. Dickey: a resolution in favor of J. W. Cooper. Read and referred to the finance committee.

By Mr. Welch: A resolution concerning adjournment on Dec. 24th proxy. Placed on the calendar.

By Mr. Jones, of Caldwell: A resolution of instruction to the Secretary of State. Placed on the calendar.

By Mr. Marler: A resolution of "instructions to the Finance Committee." (On the Calendar.)

By Mr. Ashe: A resolution of instructions to the Judiciary Committee concerning the N. C. Railroad. (On the calendar.)

By the same: A resolution of instructions to the Judiciary Committee concerning cumulative suffrage. (On the calendar.)

By the same: A resolution to raise Joint Committe to remodel the Districts of the State. Placed on the calendar.

BILLS INTRODUCED.

By Mr. Houston: A bill to amend sections 301 and 303 of the Code of Civil Procedure. Read and referred to judiciary committee.

By Mr. Dunham: A bill to be entitled an act to incorporate the Wilson Building and Loan Association. Read and referred to committee on corporations.

By Mr. Welch: A bill to be entitled an act for the relief of Sheriffs and Tax Collectors. Read and referred to finance committee.

By Mr. Newsome: A bill to authorize the Commissioners of Hertferd county to levy a special tax. Read and referred to committee on counties, towns, &c.

By Mr. Anderson: A bill concerning the annexing a part of Macon to Clay county. Read and referred to committee on counties and towns.

By Mr. Withers: A bill to be entitled an act to charter the Bank of Caswell. Read and referred to committee on corporations.

By Mr. Johnston, of Buncombe: A bill to provide for further trial by referees. Withdrawn by consent.

By Mr. Withers, by consent: A resolution of instructions to the Clerk of the House of Representatives. Read and placed on the calendar.

CALENDAR.

Resolution of instructions to the Finance Committee. Passed second reading.

Resolution of instructions to the Judiciary Committee concerning cumulative suffrage. Passed second reading.

Resolution of instructions to the Judiciary Committee concerning the N. C Railroad. Passed second reading.

BILLS ON SECOND READING.

House bill, to prevent the sale of intoxicating liquors within two miles of Shiloh Church, in Anson county. Passed second and third readings, and ordered engrossed.

A message was received from the Senate asking the appointment of a Joint Committee on Immigration, which was concurred in.

House bill, for the relief of Sheriffs and Tax Collectors, was, on motion of Mr. Welch, taken from the Committee on Finance, and made Special Order for December 5th, 1871, and re-committed.

Resolution of instruction to the Clerk of the House was taken up. Mr. Robinson moved to lay it on the table. The motion was lost, and the resolution was adopted.

A message was received from His Excellency, the Governor, transmitting the annual report of the State Librarian, which was received and transmitted to the Senate, on motion, with a proposition to print three copies for each member of the General Assembly.

When Mr. Houston, by consent, introduced a resolution to amend the rules of the House. Received and placed on the calendar.

Resolution of instructions to the Secretary of State was taken up, and on motion of Mr. Robinson, indefinitely postponed.

Resolution to raise a joint committee to remodel the districts of the State was taken up and adopted.

Mr. Robinson, by consent, introduced a concurrent resolution, asking the opinion of the Attorney General on the question of apportionment, which, under suspension of the rules, passed its several readings, and was ordered to be engrossed.

Mr. Ashe, by consent, introduced a resolution of instructions to the Secretary of State concerning the Auditor's report, which, under suspension of the rules, passed its several readings.

Mr. Settle moved to reconsider the vote by which resolution

to amend the rules of the House (Rule 54,) was adopted. The motion prevailed. The question recurring on the adoption of the resolution, it was not adopted.

When, on motion, the House adjourned.

TUESDAY, November 28th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. McFerrin.

The journal of yesterday was read and approved.

RECEPTION OF PETITIONS, MEMORIALS, &C.

By Mr. Phillips: A petition from certain citizens praying the transfer of a certain lot of land in the city of Raleigh for religious purposes. Read and referred to the committee on propositions and grievances.

By the same: A petition from citizens asking reduction of taxes on amusements in the city of Raleigh. Read and referred to committee on finance.

By Mr. Kincaid: A petition from Amie Elezabeth Henderson, asking exchange of bonds, with a bill to effect the exchange. Both read and referred to committee on finance.

When the resignation of Louis C. Quinn, Principal Doorkeeper of the House of Representatives, was read and accepted.

Mr. Welch was reported absent on account of sickness.

Leave of absence was granted Mr. Hardy for four days from Thursday next.

REPORTS OF COMMITTEES.

Mr. Harris, of Franklin, from the Committee on Salaries and Fees reported a substitute to bill to reduce and fix

the *per diem* and mileage of members and officers of this General Assembly.

Mr. Withers, from the same committee, presented a minority report.

Mr. Stanford, from Committee on Judiciary, reported favorably on House resolution of instructions to the Public Treasurer.

Mr. Broadfoot, from the same committee, reported favorably on bill to be entitled an act concerning suits against railroads.

By the same, from the Committee on Corporations, favorably on bill to incorporate the Mount Pleasant Female Seminary.

Mr. Maxwell, from Committee on Propositions and Grievances, reported unfavorably on House bill to amend chapter 16, section 3, of the Revised Code.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed resolution of instructions to the Secretary of State concerning the Auditor's report; resolution to appoint a joint committee to remodel the districts of the State; resolution asking the opinion of the Attorney General on question of apportionment; bill to prevent the sale of intoxicating liquors within two miles of Shiloh Church, in Anson county. And a message was sent transmitting the same to the Senate for concurrence.

RESOLUTIONS INTRODUCED.

By Mr. Young, of Yancey: A resolution in favor of W. E. Piercy, sheriff of Yancey county. Read and referred to committee on finance.

By Mr. Carson: A resolution in favor of H. W. Mays, sherift of Alexander county. Read and referred to finance committee.

INTRODUCTION OF BILLS.

Mr. Robinson in the chair.

By Mr. McCauley: A bill to be entitled an act concerning constables. Read and referred to committee on judiciary.

By Mr. Cawthorn: A bill to repeal an act entitled an act to incorporate the Real and Personal Estate Agency. Read and placed on the calendar.

By Mr. Broadfoot: A bill to incorporate the Whitney Manufacturing Company, in the county of Cumberland. Read and referred to committee on corporations.

By Mr. Tucker, of Iredell: A bill to be entitled an act to incorporate the Educational & Loan Association of North Carolina. Read and referred to committee on corporations.

A message was received from His Excellency, the Governor, transmitting report of the Secretary of the Board of Trustees of the University; which was transmitted to the Senate with a proposition to print.

CALENDAR.

Resolution of instructions to the Public Treasurer was taken up and passed second and third readings and ordered engrossed.

Mr. Nicholson, by consent, introduced a bill to be entitled an act for the better protection of the interest of policy holders in the State. Read and referred to committee on judiciary.

Mr. Johnston, of Buncombe: A bill to be entitled an act to interpret section 55 of the Code of Civil Procedure. Read and referred to judiciary committee.

A message was received from the Senate transmitting and asking concurrence in the passage of S. B. to be entitled an act to erect and keep up a bridge across the Roanoke river, by the Petersburg Railroad Company. Read and referred to the committee on corporations; and S. R. concerning a temporary supply of stationery; which was, on motion, considered amended, and passed second and third readings and amendment ordered engrossed.

Mr. Jones, of Caldwell, by consent, introduced a resolution of instructions to the Committee on Privileges and Elections. Placed on the calendar.

H. B. to incorporate The Mount Pleasant Female Seminary was considered and passed second and third readings, and ordered engrossed.

H. B. concerning suits against Railroad Companies, was taken up and passed second and third readings, and ordered engrossed.

H. B. to amend section 3, chapter 16, of the Revised Code, concerning hunting was taken up, and, on motion, laid on the table.

Mr. Ashe, by consent, introduced a bill to be entitled an act regulating the time of making complaints in civil actions; which was read and referred to judiciary committee.

On motion, the minority report of Committee on Salaries and Fees on bill to reduce and fix the *per diem* and mileage of officers and members of the General Assembly, was taken under consideration.

Mr. Martin moved to lay the matter on the table, on which motion Mr. Withers called the ayes and noes. The call was not sustained, and the motion to table prevailed.

A message was received from the Senate transmitting and asking concurrence in the passage of Senate bill No. 3, to be entitled an act to authorize the Commissioners of Bertie county to issue bonds, (read and referred to committee on finance,) and Senate bill No. 27, to be entitled an act to require the Commissioners appointed by an act entitled an act to provide for the completion of the Western Division of the Western North Carolina Railroad, ratified March 24th, A. D. 1870, to make report to the Governor and for other purposes; which under suspension of the Rules, was considered and passed second and third readings, and ordered enrolled.

Resolution of instructions to the Committee on Privileges and Elections, was taken up and passed.

The following order was announced from the Chair:

Mr. Hinton takes the place of Mr. French on Committees on Penal Institutions and Internal Improvements; Mr. Tucker, of Iredell, is appointed on the Judiciary Committee and takes

the place of Mr. Hill on Committee on the Library; Mr. Henderson is appointed on Committee on Institution for the Deaf, Dumb and Blind; Mr. Bean is appointed on Committee on Claims and Education; Mr. Newsome is appointed on Committees on Immigration and Privileges and Elections; Mr. Jordan is relieved from duty on Committees on Judiciary and Penal Institutions and placed on those of Finance and Internal Improvements. House branch of Joint Committee on Immigration—Messrs. Crawford, Johnston, of Buncombe, and Darden.

On motion, the House adjourned.

WEDNESDAY, November 29th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on bill to incorporate the Wilson Building and Loan Association; on House bill to incorporate the Whitney Manufacturing Company in Cumberland county; on House bill to charter the Bank of Caswell, and on Senate bill to authorize the Petersburg Railroad Company to erect and keep up a bridge across the Roanoke river.

Mr. Crawford, from Committee on Engrossed Bills, reported as correctly Engrossed resolution of instructions to the Public Treasurer, and bill to be entitled an act in relation to suits against Railroad Companies, and a message was sent transmitting the same to the Senate for concurrence; also announcing concurrence of the House in resolution to appoint a Joint Com-

mittee on Immigration with names of House branch of said Committee.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on bill to authorize the Commissioners of Hertford county to levy and collect a special tax.

Mr. Withers, from Judiciary Committee, reported unfavorably on bill to re-enact an act to cure certain irregular proceedings in the jurisdiction of courts in special proceedings.

RESOLUTIONS INTRODUCED.

By Mr. Robinson: A resolution to go into election of Principal Doorkeeper; which was adopted.

By Mr. Johnston, of Buncombe: A resolution in favor of Russel L. Jones, of Buncombe county. Read and referred to finance Committee.

BILLS INTRODUCED.

By Mr. McCauley: A bill to authorize John J. Hasty, Sheriff of Union county, to collect arrears of taxes. Read and referred to committee on finance.

By Mr. York: A bill to be entitled an act to repeal certain portions of the laws of 1869–'70. Read and referred to finance committee.

By Mr. Dudley: A bill to be entitled an act to amend the charter of The Reliance Bucket and Axe Fire Company of the city of Newbern. Read and referred to committee on propositions and grievances.

CALENDAR.

On motion of Mr. Johnston, of Buncombe, the vote by which S. B. requiring report of commissioners on affairs of the Western Division of the Western North Carolina Railroad, and for other purposes, passed its third reading in the House, was

re-considered, and the bill was, on motion of Messrs. Johnston and Robinson, amended, and bill, as amended, passed third reading, and amendments were ordered engrossed.

H. B to repeal an act to incorporate the Real and Personal Estate agency of North Carolina was taken up, and failed to pass for want of a quorum.

Mr. Ashe renewed the motion to pass, and moved to refer bill to committee on propositions and grievances, and the motion to refer prevailed.

Mr. Reavis, by consent, introduced a resolution of instructions to the committee on penal institutions. On the calendar under the rules.

By Mr. Mabson, by consent: A resolution of instructions to the judiciary committee.

CALENDAR RESUMED.

S. B. to authorize the Petersburg Railroad Company to erect and keep up a bridge across the Roanoke river passed second reading, and was made special order for Friday at 12 M.

A message was received from the Senate returning House resolution of instructions to the Public Treasurer concerning moneys received under revenue act of 1871, with Senate amendments; which were concurred in, and resolution ordered enrolled.

Also a message transmitting for concurrence Senate bill concerning the probate of deeds and the private examination of married women beyond the limits of the State; which was read and referred to judiciary committee.

S. B. supplemental and amendatory of the charter of the city of Newbern. Read and referred to committee on counties, towns, &c.

S. B. concerning the jurisdiction of Superior Courts. Read and referred to the judiciary committee.

S. B. to change the time for holding the Superior Courts in Alamance county. Read and referred to judiciary committee.

S. B. to incorporate the Excelsior Bucket and Axe Fire Company of the city of Newbern. Read and referred to committee on Corporations; and

S. B. to amend the charter of the Raleigh & Gaston Railroad Company. Read and referred to committee on internal improvements.

CALENDAR RESUMED.

Bill to authorize the commissioners of Hertford to levy a special tax, was taken up and passed second reading. Ayes 76; Noes 5.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryant of Halifax, Bryan of Johnston, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Ellison, Faulkner, Fisher, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hinnant, Johnson of Edgecombe, Johns, Jones of Caldwell, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Mabson, Marler, Maxwell, McAfee, McCauley, Morris, Newsome, Nicholson, Page, Phillips, Paylor, Powell, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Withers, Womack, Woodhouse, Young of Wake, Young of Yancey and York—76.

Noes—Messrs. Bean, Brown, Buxton, Joyner of Johnston, Martin and Sykes—6.

The House then proceeded to the election of Principal Doorkeeper, *vice* L. C. Queen resigned. In nomination by Mr. Nicholson J. H. Hill, who received the unanimous vote, and was declared duly elected.

For Mr. Hill—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake,

Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gore, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Justice, Kelly of Davidson, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nicholson, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Womack, Woodhouse, Young of Wake, Young of Yancey and York—93.

Pending the announcement he tendered his resignation as Assistant Doorkeeper.

The House then proceeded to the election of an Assistant Doorkeeper.

In nomination by Mr. Joyner, of Johnston, E. T. Hall, of Johnston county.

By Mr. Carson, J. C. Birdsong, of Wake.

By Mr. Loftin, —— West, of Lenoir.

By Mr. Cawthorn, Cæsar Johnson, of Wake.

By Mr. Page, Alfred B. Williams, of Wake.

Messrs. Joyner, of Johnson, and Loftin were appointed to superintend the election, and announced the vote as follows: For Mr. Hall 59 votes, Mr. Birdsong 19, Mr. Johnson 4, and Mr. West 3. Whole number votes cast, 85. Mr. Hall having received a majority of the whole number cast, was declared duly elected Assistant Doorkeeper of the House.

For Mr. Hall.—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Fisher, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid,

Lassiter, Lucas, Martin, Marler, Maxwell, McAfee, McCauley, Morris, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse, Young of Yancey and York—60.

For Mr. Birdsong.—Messrs. Bean, Brooks, Bryan of Jones, Buxton, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Hardy, Lyon, Morgan of Wake, Phillips, Robbins, Smith of Halifax, Tucker of Craven and Young of Wake—19.

For Mr. Johnson—Mr. Cawthorn, Harris of Franklin, Hargrove and Johnson of Edgecombe—4.

For Mr. West.—Messrs. Brown and Lottin —2.

Mr. Ashe, by consent, reported a substitute from the Finance Committee to resolution in favor of James M. Young, Sheriff of Buncombe.

H. B. to charter the Bank of Caswell, was taken up and passed second and third readings, and ordered engrossed.

On motion the resolution of instructions to Committee on Penal Institutions was taken up and adopted.

H. B. to incorporate the Whitney Manufacturing Company in Cumberland county, was taken up and passed second and third readings, and ordered engrossed.

Mr. Ashe, by consent, introduced a bill to authorize the city of Wilmington to fund city debt and to issue bonds; which was read and referred to committee on finance.

Mr. Dickey, by consent, presented a petition from citizens of Cherokee, praying for the establishment of a new county by the name of Lee. Read and referred to committee on counties and towns, &c.

Resolution in favor of James M. Young, Sheriff of Buncombe, was taken up, the substitute proposed by the Committee adopted, and on motion of Mr. Crawford, laid on the table.

Mr. Martin moved that when this House adjourn, it do so to meet at 10 A. M., Friday. Motion did not prevail.

H. B. to re-enact an act to cure certain proceedings in the

jurisdiction of courts in special proceedings, was considered, and, on motion, laid on the table.

H. B. to incorporate the Wilson Building and Loan Association, was taken up and passed second and third readings, and ordered engrossed.

Leaves of absence were granted Messrs. Tucker, of Craven, for one day; Jones, of Northampton, until Saturday; Cawthorne, until Saturday, and Johnson, of Edgecombe, for three days.

It was resolved on motion of Mr. Phillips, that the House adjourn to meet on Friday at 10 A. M., and a message was sent asking concurrence of the Senate in the motion, when the House adjourned.

FRIDAY, DECEMBER 1st, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

The journal of the last day's proceedings was read and approved.

RECEPTION OF PETITIONS, MEMORIALS, &C.

By Mr. Stewart: A petition from the commissioners of Harnett county; which was read and referred to committee on propositions and grievances.

By Mr. Henderson: A petition from members of the Bar of the Ninth Judicial District for the removal of Judge Logan from office; which, on motion of Mr. Waring, was read and referred to a select committee of five, with power to send for persons and papers.

REPORT OF COMMITTEES.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled, resolution concerning moneys received by the Public Treasurer under Revenue Act of 1871, and resolution concerning a temporary supply of stationery; and they were ratified.

Mr. Ashe, from the Committee on Finance, reported unfavorably on resolution in favor of Russel L. Jones; on resolution to extend the time of H. W. Mayes, sheriff of Alexander county, to settle with county treasurer, and collect taxes; and on resolution in favor of W. E. Percey, sheriff of Yancey county, with statement of C. F. Young.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on a substitute to House bill to authorize the commissioners of Bertie county to revise the tax list.

Mr. Jordan, from Finance Committee, reported favorably on bill to be entitled an act to authorize John J. Hasty, sheriff of Union county, to collect arrears of taxes.

Mr. Maxwell, from Committee on Propositions and Grievances, reported favorably on bill to amend the charter of the Reliance Bucket and Axe Fire Company, of the city of Newbern, and unfavorably on memorial of citizens of Raleigh, praying the transfer of a certain lot of land for religious purposes.

INTRODUCTION OF BILLS.

By Mr. Marler: A bill to be entitled an act concerning attendance of witnesses in civil suits in Superior Courts. Read and referred to committee on judiciary.

By Mr. Martin: A bill to be entitled an act to amend the charter of the town of Beaufort. Read and referred to committee on counties, towns, &c.

By Mr. Wilcox: A bill to change certain township lines in Ashe county. Read and referred to committee on counties, towns, &c.

CALENDAR.

Bill to authorize the Commissioners to levy and collect a special tax in Hertford county, was taken up on third reading and passed. Ayes 72; Noes 7.

AYES—Messrs. Anderson, Armstrong, Atwater, Atkinson, Bean, Brooks, Broadfoot, Bunn, Carson, Clinard, Collis, Currie, Darden, Dickey, Dudley, Dunham, Ellison, Faulkner, Fisher, Furr, Gambrel, Garrison, Goodwin, Gore, Gullick, Grayson, Guyther, Hampton, Hargrove, Hinnant, Johnston of Buncombe, Jones of Caldwell, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Martin, Marler, Maxwell, McAtee, McAllister, McCauley, Morris, Morgan of Wake, Newsome, Nicholson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse, Young of Wake, Young of Yancey and York—72.

NOES—Messrs. Buxton, Fletcher, Gregory, Harris of Guilford, Henderson, Johns and Morgan of Montgomery—7.

H. B. to amend the charter of the Reliance Bucket and Axe Fire Company, of Newbern, was considered and passed second and third readings, and ordered engrossed.

The special order, being Senate bill to authorize the Petersburg Railroad Company to construct a bridge across Roanoke river, was taken up and amended, on motion of Mr. Ashe, and passed third reading.

H. B. to authorize John J. Hasty, sheriff of Union, to collect arrears of taxes, was taken up and passed second reading.

H. R. in favor of Russel L. Jones, of Buncombe county, was taken up, and, on motion, recommitted.

H. R. to extend the time of the sheriff of Alexander to collect arrears of taxes and settle with the county treasurer, was taken up and passed second and third readings, and ordered engrossed.

Mr. Kelley, from Committee on Internal Improvements,

reported favorably on Senate bill to amend the Charter of the Raleigh & Gaston Railroad Company.

H. R. in favor of W. E. Piercy, sheriff of Yancey, was considered and passed second and third reading, and ordered engrossed.

Mr. Ashe, from Committee on Finance, reported favorably on bill for the relief of sheriffs and tax collectors.

H. B. to authorize the Commissioners of Bertie county to revise the tax lists was taken up, and substitute offered by the committee in bill to validate the revisal of jury lists and for other purposes was adopted, and passed second and third readings and ordered engrossed.

Mr. Maxwell, from Committee on Propositions and Grievances, reported favorably on Memorial and Resolution from citizens of Harnett county. The resolution was considered under suspension of the rules, and passed second and third readings, and ordered engrossed. The vote on third reading was reconsidered, and the motion to re-consider laid on the table.

S. B. to amend the charter of the Raleigh and Gaston Railroad Company was taken up, and passed second reading.

Mr. Robinson in the chair.

H. B. for the relief of sheriffs and tax collectors was considered, and passed second and third readings, and ordered engrossed.

Messages were sent transmitting for concurrence of the Senate, House amendment to Senate bill to require report of Commissioners appointed under act concerning Western Division of Western North Carolina Railroad, and anouncing the concurrence of the House in Senate amendments to House resolution of instructions to the Public Treasurer concerning moneys received under Revenue act of 1871, and a message transmitting resolution from Committee on Propositions and Grievances, to authorize the Commissioners of Harnett county to revise their tax list, and asking concurrence.

A message was received from the Senate, transmitting for concurrence of the House, Senate bill to amend the laws of

evidence; which was read and referred to judiciary committee.

Leaves of absence were granted Messrs. Johnston of Buncombe, Jordan, Smith of Anson and Paylor for one day, and Messrs. Crawford and Williamson for three days.

Mr. Welch was reported absent on account of sickness.

The memorial from citizens of Raleigh, asking cession of a lot of land for religious purposes was considered, and on motion laid on the table.

Resolution of enquiry of the Judiciary Committee was adopted.

Mr. Waring, by consent, introduced a bill to abolish the office of State Geologist; which was read and referred to committee on propositions and grievances.

Mr. Johnston, of Buncombe, moved to take from the table resolution in favor of James M. Young, sheriff of Buncombe. The motion failed for want of a quorum.

The motion was renewed, and the ayes and noes were called. The call was sustained and the motion prevailed. Ayes 50; Noes 24.

Ayes—Messrs. Anderson, Ashe, Atwater, Bean, Brooks, Brown, Bryan of Jones, Bryson, Bunn, Collis, Copeland, Dickey, Ellison, Faulkner, Fisher, Furr, Gambrel, Garrison, Gore, Hargrove, Houston, Johnston of Buncombe, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Marler, Maxwell, McCauley, Morris, Morgan of Wake, Nicholson, Phillips, Powell, Reavis, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Stewart, Womack, Woodhouse and Young of Wake—50.

Noes—Messrs. Armstrong, Broadfoot, Chamberlain, Clinard, Darden, Dudley, Dunham, Fletcher, Gullick, Gregory, Guyther, Hampton, Henderson, Johns, Jordan, Lucas, Martin, McAllister, Paylor, Robbins, Sykes, Tucker of Iredell, Waring and York—24.

Amendment of Mr. Hargrove pending,

Mr. Waring moved to amend amendment, when, on motion

of Mr. Phillips, the resolution was referred to finance committee.

Mr. Johnston, of Buncombe, by consent, introduced a resolution for the general relief of sheriffs; which was, on motion, considered, and on motion of Mr. York, laid on the table.

When, on motion, the House adjourned.

SATURDAY, December 2d, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Powell, from Committee on Engrossed Bills, reported as correctly engrossed a bill to incorporate the Mount Pleasant Female Seminary, and a message was sent transmitting the same to the Senate for concurrence.

Mr. Robinson, from Committee on Eenrolled Bills, reported as correctly enrolled act to amend the charter of the Raleigh and Gaston Railroad Company, and it was ratified.

Mr. Dunham, from the Judiciary Committee, reported favorably on S. B. to be entitled an act to amend the Laws of Evidence.

Mr. Witherspoon, from the same committee, reported favorably on S. B. concerning the jurisdiction of Superior Courts; amendments to H. B. to be entitled an act regulating the time of delivering complaints in civil actions; favorably on bill concerning the probate of deeds, and the private examination of married women beyond the limits of the State, and on S. B. to be entitled an act to change the time of holding the Superior Courts in Alamance county.

Mr. Marler, from the Committee on Corporations, reported favorably on bill to incorporate the Excelsior Bucket and Axe Fire Company, No. 4, of Newbern.

And on bill to be entitled an act to incorporate the Educational and Loan Association of North Carolina.

INTRODUCTION OF RESOLUTIONS.

By Mr. York: A resolution of Instructions to the Committee on Constitutional Reform. Read and placed on the calendar.

By Mr. Powell: A resolution in favor of Thos. H. Abrams; which was read and referred to the Committee on Finance.

By Mr. Houston: A resolution of Enquiry of the Secretary of State on number of wooden legs belonging to the State. Placed on the calendar.

BILLS INTRODUCED.

By Mr. Gullick: A bill to be entitled an act to incorporate the town of Dallas. Read and referred to committee on counties, towns, &c.

By Mr. McCauley: A bill to be entitled an act to amend Article 4 of the Constitution of the State. Read and referred to committee on constitutional reform.

By Mr. Womack: A bill to be entitled an act to amend chapter 178 of the laws of 1868–'69. Read and referred to judiciary committee.

By Mr. Tucker, of Iredell: A bill to be entitled an act to amend chapter 139, laws of 1870–'71. Read and referred to committee on salaries and fees.

By Mr. Jones, of Caldwell: A bill to be entitled an act to amend chapter 242 of the Laws of 1870–'71, being an act to charter the Virginia and Asheville Railroad Company. Read and referred to committee on internal improvements.

CALENDAR.

H. B. to authorize John J. Hasty, Sheriff of Union, to collect arrears of taxes, was taken up, and passed second and third readings, and ordered engrossed.

S. B. to be entitled an act to amend the Law of Evidence, was taken up, and passed second and third readings, and ordered enrolled.

Senate bill to be entitled "an act concerning the jurisdiction of Superior Courts" was considered, and passed second and third readings, and ordered enrolled.

Senate bill, to be entitled "an act concerning the probate of deeds and the private examination of married women beyond the limits of the State," was taken up, and passed second and third readings, and ordered enrolled.

Senate bill "to incorporate the Excelsior Bucket and Axe Fire Company No. 4, of the city of Newbern was considered, and passed second and third readings, and ordered enrolled.

Mr. Ashe, from the Committee on Finance, reported favorably on bill to authorize the city of Wilmington to issue bonds and to fund the city debt.

A bill to be entitled an act to change the time for holding the Superior Courts in Alamance County was taken up, and passed second and third readings, and ordered enrolled.

A bill to incorporate the Educational and Loan Association of North Carolina was, on motion, taken up, and passed second and third readings, and ordered engrossed.

House bill to be entitled an act "regulating the time of delivering complaints in civil actions," was taken up and amended as reported by the committee, and passed second and third readings, and ordered engrossed.

House bill to be entitled an act to authorize the city of Wilmington to fund the city debt and to issue bonds, was taken up, and passed second reading. Ayes 77; Noes 2.

AYES.—Messrs. Armstrong, Ashe, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryson, Buxton, Carson, Clinard,

Copeland, Currie, Darden, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Heaton, Henderson, Houston, Hinnant, Johns, Kelly of Davie, Kelly of Mecklenburg, Kincaid, Lassiter, Lucas, Luckey, Mabson, Maxwell, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Newsome, Nicholson, Nisson, Powell, Rankin, Reavis, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Waring, Wilcox, Womack, Woodhouse, Young of Wake, Young of Yancey, and York—77.

NOES.—Messrs. Chamberlain and Gregory—2.

A message was received from the Senate, announcing that the Senate had amended the House resolution to appoint a joint committee on re-districting the State; which was concurred in and resolution ordered enrolled.

Also transmitting for concurrence, a resolution in favor of M. C. Brinkley; which was read and referred to the committee on finance;

Also returning H. B., to be entitled an act to change the time of holding the superior courts in New Hanover county, with engrossed Senate amendment; which were, on motion, concurred in, and bill was ordered enrolled.

H. R. of instruction to the Committee on Constitutional Reform was taken up, and, on motion, laid on the table.

Mr. Powell reported House bill to charter the bank of Caswell as correctly engrossed, and it was sent with a message to the Senate for concurrence.

When, on motion, the House adjourned.

MONDAY, DECEMBER 4th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Atkinson, of the city.

The journal of yesterday was read and approved.

Mr. Welch was reported absent on account of sickness.

RESOLUTIONS INTRODUCED.

By Mr. Justice: A joint resolution to investigate certain charges against Lee M. McAfee and certain other officers and members of the General Assembly. Read and placed on the calendar.

By Mr. Kelsey: A resolution in favor of A. Tweed, sheriff of Madison county. Read and placed on the calendar.

By Mr. Kelsey, by consent: A petition from citizens of Madison favoring relief for Abner Tweed, sheriff of Madison; which was read and placed on the calendar.

By Mr. Guyther: A resolution in relation to the Public Treasurer. Read and placed on the calendar.

By M. Dudley: A resolution repealing a resolution in favor of James H. Moore, contractor for the Public Printing. Read and placed on the calendar.

By Mr. Tucker, of Craven: A joint resolution to raise a committee on the debt of the State. Read and referred to the judiciary committee.

BILLS INTRODUCED.

By Mr. Kelsey: A bill for the benefit of the tax payers of Madison county. Read and referred to the committee on counties, town, &c.

By Mr. Anderson: A bill to be entitled an act for the relief

of citizens of Clay, who have suffered from loss of records. Read and referred to committee on judiciary.

By Mr. Collis: A bill to be entitled an act to change the line between the counties of Yancey and Mitchell. Read and referred to the committee on counties, towns, &c.

By Mr. Wilcox: A bill to authorize Solomon Blevins to collect arrears of taxes for the year 1869. Read and referred to committee on finance.

By Mr. Dudley: A bill to be entitled an act to repeal an act concerning voting on separate ballot for State, county and municipal officers. Read and referred to committee on privileges and election.

By Mr. McCauley: A bill to be entitled an act to amend Article 8 of the Constitution of the State. Read and referred to the committee on constitutional reform.

By the same: Bills to amend article 2, sections 2 and 5 of the Constitution of the State; to amend section 6 of the Constitution; to amend article 7 of the Constitution, and to amend article 1, entitled declaration of rights, and to amend article 5, entitled revenue and taxation of the Constitution; all of which were read and referred to the committee on constitutional reform.

CALENDAR.

H. B. to authorize the city of Wilmington to fund the city debt and to issue bonds, was taken up on third reading and passed. Ayes 85; Nays none.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Buxton, Carson, Clinard, Collis, Copeland, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Grayson, Gregory, Gnyther, Hampton, Harris of Granville, Harris of Franklin, Hargrove, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of John-

ston, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Mabson, Marler, Maxwell, McCallister, McCauley, Morgan of Montgomery, Morgan of Wake, Mills, Nicholson, Page, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Standford, Stewart, Strudwick, Sykes, Tucker of Iredell, Withers, Womack, Woodhouse, Young of Yancey and York—85.

Noes—None.

H. R. in relation to the Public Treasurer was taken up, and, on motion, laid on the table.

A message was received from the Senate, transmitting for concurrence a resolution to authorize the Attorney General to sue out a writ of *habeas corpus* for Allen Bettus; which was read and referred to the judiciary committee.

Mr. Crawford, by consent, reported from the Committee on Enrolled Bills, as correctly engrossed, H. B. to incorporate the Whitney Manufacturing Company of Cumberland county; H. B. to incorporate the Educational and Loan Association of North Carolina; H. B. to amend the charter of the Reliance Bucket and Axe Fire Company of the city of Newbern; H. B. to regulate the time of delivering complaints in civil actions; H. B. to validate the revisal of jury lists and for other purposes; H. B. to authorize the commissioners of Hertford county to levy a special tax; H. B for the relief of sheriffs and tax collectors; H. B. to authorize John J. Hasty, sheriff of Union, to collect arrears of taxes; H. B. to incorporate the Wilson Building and Loan Association; H. R. to extend the time of the sheriff of Alexander to collect taxes and to settle with the county treasurer; H. R. in favor of W. E. Piercy, sheriff of Yancey county; and a message was sent transmitting them to the Senate for concurrence.

H. R. in favor of Abner Tweed, sheriff of Madison, was taken up and passed second reading, and, under a call for the ayes and noes its third reading, and ordered engrossed. Ayes 68; Noes 19.

Ayes—Messrs. Anderson, Atwater, Bean, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Buxton, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Ellison, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Houston, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Wake, Mills, Nicholson, Nissen, Page, Paylor, Powell, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Tucker of Iredell, Womack and Woodhouse—68.

Noes—Messrs. Armstrong, Atkinson, Bryant of Halifax, Dunn, Dudley, Dunham, Faulkner, Gullick, Gregory, Henderson, Hinnant, Johnston of Edgecombe, Johns, Lucas, Robbins, Settle, Smith of Halifax, Strudwick and Young of Wake—19.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled: An act concerning the jurisdiction of Superior Courts; an act to amend an act entitled an act to change the time for holding the Superior Courts in New Hanover county; an act to incorporate the Excelsior Bucket and Axe Fire Company, No 4, of the city of Newbern; an act to amend the law of evidence; an act concerning the probate of deeds and the private examination of married women beyond the limits of the State of North Carolina, and an act to change the time of holding the Superior Courts in Alamance county, and they were ratified.

By consent, Mr. Mills introduced a bill to be entitled an act to prevent the imprisonment of County Commissioners; which was read and referred to the committee on judiciary.

And Mr. McAfee, a bill to change an alley in the town of Shelby, Cleaveland county. Read and referred to committee on counties, towns, &c.

By the same: A bill to be entitled an act to amend an act authorizing the Commissioners of Cleaveland county to issue

bonds, ratified April 5th, 1871. Read and referred to committee on judiciary.

CALENDAR RESUMED.

H. R. to repeal a resolution in favor of James H. Moore, contractor for the public printing, was, on motion, taken up, and, on motion, referred to committee on printing.

H. R. to investigate certain charges against Lee M. McAfee and other officers and members of the General Assembly, was taken up, and Mr. Sparrow moved to lay the resolution on the table.

The ayes and noes were called, and the motion did not prevail. Ayes 46; Noes 47.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gore, Gullick, Gregory, Henderson, Houston, Johns, Joyner of Johnston, Jordan, Kelly of Montgomery, Kincaid, Lassiter, Lucas, Luckey, Maxwell, McAllister, Mills, Nicholson, Powell, Rankin, Reid, Regan, Scott, Settle, Shull, Smith of Wayne, Sparrow, Standford, Stewart, Waring, Womack, Woodhouse and Young of Yancey—46.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatlin, Goodwin, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Joyner of Johnston, Justice, Martin, Mabson, Marler, McAfee, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Robinson, Smith of Halifax, Strudwick, Sykes, Tucker of Iredell, Tucker of Craven, Willis and York—47.

Mr. Dunham moved to insert "and Loyal Leagues and other secret political organizations." The ayes and noes were called on the adoption of the amendment, and it was adopted. Ayes 94; Noes 2.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Henderson, Houston, Hinnant, Johnston of Buncombe, Johnston of Edgecombe, Johns, Joyner of Johnston, Jordan, Justice, Kelly of More, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Morgan of Montgomery, Mills, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Wilcox, Womack, Woodhouse, Young of Yancy and York—94.

Noes—Messrs. Settle and Strudwick—2.

Mr. Crawford then moved to lay the resolution on the table, on which Mr. Justice called the ayes and noes.

The call was sustained and the motion prevailed. Ayes 46, Noes 45.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Henderson, Johns, Jordan, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Mills, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Waring, Woodhouse and Young of Yancey—46.

Noes.—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gatling, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Heaton, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Joyner of

Johnston, Justice, Martin, Mabson, Marler, McAfee, Morris, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Robinson, Smith of Halifax, Sykes and York—45.

Mr. Justice gave notice that he would offer a protest against the action of the House,

When a message was received from his Excellency, the Governor, transmitting the report of a special committee of the Board of Directors of the Insane Asylum; which was read and, on motion, transmitted to the Senate with a proposition to print and refer to Joint Committee on the Asylum, and a message was sent transmitting the same.

The Speaker announced the following special committee:

Committee on the official conduct of George W. Logan, Judge of the 9th Judicial District—Messrs. Waring, Scott, Fisher, Henderson and Brown.

When, on motion, the House adjourned.

TUESDAY, DECEMBER 5th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C.

By Mr. Sparrow: A petition from R. S. Tucker, concerning a claim against the State. Read and referred to committee on claims.

By Mr. Martin: A memorial from citizens of Beaufort, concerning the sale of spirituous liquors in the town; which was read and referred to committee on corporations.

By Mr. Justice: A petition from a meeting in Rutherford,

concerning the membership in the Ku Klux Klan of certain members of the General Assembly.

Mr. Robinson moved to reject the petition, and called the previous question.

The ayes and noes were called on the call for the previous question, and the call prevailed. Ayes 70; Noes 30.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Buxton, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Newsome, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—70.

NOES—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Mabson, McAfee, Morgan of Montgomery, Morgan of Wake, Nisson, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—30.

And under a call for the ayes and noes, the petition was rejected. Ayes 61; Noes 42.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Cawthorn, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Craven, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Maxwell, McAllison, McNeill, Mills, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson,

Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and Young of Yancey—61.

Noes—Messrs. Brown, Bryan of Jones, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Guyther, Harris of Guildford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Mabson, Marler, McAfee, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis, Williamson and York—42.

REPORTS OF COMMITTEES.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled, an act to charter the Bank of Caswell, and an act to incorporate the Mount Pleasant Female Seminary; and they were ratified.

Mr. Tucker, of Iredell, from the Committee on Judiciary, reported favorably on H. B. to be entitled an act to amend the Code of Civil Procedure, in relation to executions, &c.

Mr. Sparrow, from the same Committee, reported favorably on bill to amend chapter 178, of laws of 1868-'69; and unfavorably on H. B. to be entitled an act in regard to attendance of witnesses in civil causes upon the regular terms of Superior Courts.

Mr. Ashe, from the Committee on Finance, reported favorably on S. B. to be entitled an act to authorize the Commissioners of Bertie county to issue bonds.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed, bill to authorize the city of Wilmington to fund the city debt, and to issue bonds.

H. R. in favor of Abner Tweed, sheriff of Madison; and a message was sent transmitting the same to the Senate for concurrence.

Mr. Maxwell, from the Committee on Propositions and Grievances, reported unfavorably on bill to abolish the office of State Geologist.

INTRODUCTION OF RESOLUTIONS.

By Mr. Brown: A resolution requiring report from the Public Treasurer. Read and placed on the calendar.

By Mr. Ashe: A resolution suspending the operation of section 37, chapter 195 of acts of 1870–'71. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Standford: A bill to incorporate Warren Lodge, No. 101, F. & A. M. Read and referred to committee on corporations.

By Mr. McCauley: A bill to be entitled an act to amend article XIV of the Constitution of the State. Read and referred to the committee on constitutional reform.

By the same: A bill to amend article XI, of the Constitution of the State. Read and referred to the committee on constitutional reform.

By the same: A bill to be entitled an act to amend the Code of Civil Procedure in relation to appeals. Read and referred to committee on the judiciary.

By Mr. Mills: A bill to be entitled an act to authorize the commissioners of Burke and other counties to consolidate the debts of their respective counties. Read and referred to the committee on the judiciary.

By Mr. Ashe: A bill to be entitled an act to amend section 13, chapter 139, laws of 1870–'71, limiting the *per diem* of witnesses, &c. Read and referred to committee on judiciary.

By the same: A bill to be entitled an act to repeal section 11 of chapter 185, of acts 1868–'69. Read and referred to the committee on counties, towns, &c.

By the same : A bill to be entitled an act to incorporate the College of Physicians and Surgeons of the city of Wilmington. Read and referred to the committee on corporations.

By the same : A bill to be entitled an act to incorporate the Pioneer Steamboat and Transportation Company. Read and referred to the committee on corporations.

By the same : A bill to incorporate the Atlantic and Wilmington Steamship Company. Read and referred to committee on corporations.

By the same : A bill to be entitled an act to incorporate the Wateree Steamboat and Transportation Company. Read and referred to committee on corporations.

By the same : A bill to be entitled an act to incorporate the Dawson Bank. Read and referred to the committee on corporations.

By Mr. Martin : A bill to be entitled an act to incorporate the Peabody Educational Association of Beaufort. Read and referred to committee on corporations.

By Mr. Mabson : A bill to be entitled an act to amend an act for the protection of mechanics and other laborers. Read and referred to committee on judiciary.

By Mr. Withers : A bill to be entitled an act to re-district the State. Read and referred to special committee on re-districting the State.

By Mr. Ashe : A bill to provide for the collection of taxes by the State and the several counties of the State on property, polls and income. Read and referred to committee on finance, and ordered printed.

The report from the Fraud Commission was received, and on motion of Mr Robinson, transmitted to the Senate with a proposition to print ten copies for each member of the General Assembly.

Mr. Mabson, by consent, introduced a resolution to raise a committee to investigate certain charges against F. A. Strud-

wick and other officers and members of the General Assembly. Read and placed on the calendar.

The calendar was taken up.

H. B. to amend the Code of Civil Procedure in relation to executions, was taken up, and passed second reading.

A bill to authorize the commissioners of Bertie to issue bonds was taken up, and, on motion, referred to committee on judiciary.

H. R. of inquiry of the Secretary of State concerning artificial limbs was taken up, and, on motion of Mr. Jones, of Caldwell, referred to committee on military affairs.

H. B. to amend an act entitled an act of proceedsngs in civil cases was taken up, and passed second and third readings, and ordered engrossed.

Resolution of enquiry of the Public Treasurer concerning moneys paid the Fraud Commission was taken up, and, on motion, laid on the table.

H. B. to be entitled an act in regard to the attendance of witnesses in civil causes upon the regular terms of the Superior Courts was taken up, and, on motion of Mr. Dudley, laid on the table.

H. B. to abolish the office of State Geologist was taken up.

Mr. Martin moved to lay the bill on the table.

The motion did not prevail, and the bill was, on motion of Mr. Waring, made the special order for Tuesday next at 12 A. M.

Mr. Welch was reported absent on account of sickness.

Leave of absence was granted Mr. Robbins from Thursday next till Monday following.

A message was received from the Senate, announcing concurrence of the Senate in House amendments to bill to authorize the Petersburg Railroad Company to erect and keep up a bridge across Roanoke river.

A message was sent to the Senate, transmitting report of the Fraud Commission, with the proposition to print ten copies for each member of the General Assembly.

When, on motion, the House adjourned.

WEDNESDAY, DECEMBER 6TH, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Hardy, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Brown, from the Committee on Agriculture, &c., reported unfavorably on bill to drain low grounds.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed, H. B. to amend chapter 178, laws 1868–'69; and a message was sent transmitting the same to the Senate for concurrence.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported, asking discharge from further consideration of bill to repeal chapter 171, acts of General Assembly of 1870–'71; favorably on bill for the benefit of tax payers of Madison county; and on bill to amend the charter of the town of Beaufort.

RESOLUTIONS INTRODUCED.

By Mr. Young, of Yancey: A resolution to add a new rule to the rules of the House. Read and placed on the calendar.

By Mr. Withers: A resolution of instructions to the committee on corporations. Read and placed on the calendar.

By Mr. Clinard: A resolution in favor of W. P. Williams; which was read, and referred to committee on Finance.

BILLS INTRODUCED.

By Mr. Hardy: A bill to prevent the too free use of intoxicating liquors. Read and referred to committee on propositions and grievances.

When Mr. Gregory, by consent, reported from the Committee on Internal Improvements, favorably on bill to amend chapter 242, laws of 1870–'71, being bill to charter the Asheville and Virginia Railroad Company.

H. B. to be entitled an act to amend the Code of Civil Procedure, in relation to executions, on third reading, was taken up and passed, and ordered engrossed.

H. B. to drain low grounds was taken up, and failed to pass second reading.

Mr. Justice moved to re-consider the vote by which the bill failed to pass.

The motion was, on motion of Mr. Marler, laid on the table.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled, an act to authorize the Commissioners of Perquimans county to issue bonds for payment and funding of county debt;

An act to authorize the Petersburg Railroad Company to erect a bridge across Roanoke river;

And a resolution in favor of W. E. Piercy, sheriff of Yancey.

And they were ratified.

H. R. suspending the operation of section 37, chapter 195, of laws of 1870–'71, was taken up, and, on motion of Mr. Darden, laid on the table.

H. R. of instructions to the Committee on Corporations, was taken up and adopted.

H. B. for the benefit of the tax payers of Madison county, was taken up, and passed second reading, and, on motion, referred to the judiciary committee.

H. B. to repeal chapter 171, acts of 1870–'71, was taken up, and, on motion, laid on the table.

H. B. to amend the charter of the town of Beaufort, was taken up, and passed second and third readings, and ordered engrossed.

H. B. to amend chapter 242 of laws of 1870–'71, to charter the Asheville and Virginia Railroad Company, was taken up.

Mr. Luckey moved to postpone consideration to Monday, at 12 M.

Mr. Johnston, of Buncombe, to amend the motion by postponing to Friday next, at 11 A. M.

On which the ayes and noes were called, and the amendment prevailed. Ayes 62; Noes 40.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bryson, Buxton, Cawthorn, Currie, Dickey, Dudley, Duckworth, Dunham, Faulkner, Fisher, Fletcher, Furr, Gambrel, Gore, Grayson, Gregory, Harris of Guilford, Harris of Franklin, Hargrove, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Lyon, McAllister, McNeill, Morris, Morgan of Montgomery, Mills, Nicholson, Nisson, Phillips, Rankin, Reavis, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Strudwick, Tucker of Iredell, Tucker of Craven, Withers, Willis, Womack, Woodhouse and Young of Yancey—62.

Noes—Messrs. Bean, Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Copeland, Crawford, Darden, Ellison, Garrison, Goodwin, Gullick, Guyther, Hardy, Heaton, Henderson, Houston, Johnson of Edgecombe, Jones of Northampton, Loftin, Luckey, Martin, Mabson, Marler, McAfee, McCauley, Morgan of Wake, Newsome, Paylor, Powell, Reid, Robbins, Smith of Halifax, Stewart, Sykes, Waring, Wilcox, Williamson and York—40.

The question recurring on the motion to postpone, it did not prevail, and the bill passed second and third readings.

Mr. Jones, of Caldwell, moved to re-consider the vote by which the bill passed third reading, and to lay the motion on the table, which prevailed; and the bill was ordered engrossed.

A message was received from the Senate transmitting for concurrence S. B. No. 7, for the relief of sheriffs and tax collectors. Read and referred to finance committee.

S. B. No. 39, concerning joint contracts. Read and referred to judiciary committee.

S. B. to incorporate the Border Railroad Company. Read and referred to committee on internal improvements.

S. R. 95, in regard to printing the public laws. Read and referred to committee on printing, and returning

H. R. concerning the printing of certain public documents with engrossed amendments, which were concurred in, and resolution ordered enrolled.

Mr. Withers, by consent, introduced a bill to be entitled an act to amend Article V, of the Constitution of the State. Read and referred to committee on constitutional reform.

By Mr. Mills: A bill to be entitled an act to authorize R. C. Perkins, late sheriff of Burke county, to collect arrears of taxes. Read and placed on the calendar by consent.

By Mr. Tucker, of Iredell: A bill to be entitled an act to amend chapter 113, section 95, laws of 1868-'9. Read and referred to committee on judiciary.

By Mr. Wilcox: A bill to prevent the felling of trees in New river, Ashe county. Read and referred to committee on judiciary.

H. R. to raise a Joint Committee to investigate certain charges against F. N. Strudwick and other officers and members of the General Assembly was taken up, and, on motion of Mr. Gregory, referred to the judiciary committee.

Messrs. Welch and Fletcher were reported absent on account of sickness.

Leaves of absence for three days were granted Messrs. Maxwell and Page.

On motion, the House adjourned.

THURSDAY, DECEMBER 7TH, 1871.

The House met at 10 A. M. Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Mason, of the City.

The Journal of yesterday was read and approved.

Mr. Welch was reported sick.

Leaves of absence were granted Messrs. Bryan, of Jones, for four days, and Dudley for three days.

REPORT OF COMMITTEES.

Mr. Crawford, from Committee on Engrossed Bills, reported as correctly engrossed,

A bill to be entitled an act to amend chapter 242, laws of 1870–71, being act to charter the Ashville and Virginia Rail Road Company; and a message was sent transmitting the same to the Senate for concurrence;

Mr. Broadfoot, from Committee on Corporations, reported favorably on bill to incorporate Warren Lodge, No. 101, F. and A. Masons;

H. B., to be entitled an act to incorporate St. Peter's Lodge, Council of Friends, No. 1, City of Newbern;

H. B., to incorporate the Wateree Steamboat and Transportation Company;

H. B., to incorporate the Wilmington and Atlantic Steamship Company, and

H. B., to incorporate the Pioneer Steamboat and Transportation Company.

Mr. Henderson from the same Committee reported favorably on House bill, to be entitled an act to incorporate the College of Physicians and Surgeons of the City of Wilmington.

Mr. Stanford, from the Committee on Finance, reported favorably on Senate resolution in favor of M. C. Brinkley.

Mr. Sparrow, from the Committee on Judiciary, reported on resolution of enquiry of the judiciary committee, (concerning a certain bill), amendments to resolution to authorize the Attorney General to sue out a writ of *habeas corpus* for Allen Bettus; favorably on bill for the relief of persons who have suffered from loss of records in Clay county; and on bill to be entitled an act to amend section 13, chapter 139, acts of 1870–71,

asking its reference to the committee on salaries and fees, so referred; and favorably on bill entitled an act concerning constables.

Mr. McCauley, from Committee on Counties, Towns, &c., reported favorably on bill to change the line between the counties of Mitchell and Yancey, and on bill to change the line between Hilton and Piney Creek townships, in the county of Ashe.

Mr. Currie, from Committee on Enrolled Bills, reported as correctly enrolled:

Resolutions concerning the printing of certain public documents; and it was ratified.

INTRODUCTION OF RESOLUTIONS.

By Mr. Jordan: A concurrent resolution in relation to the printing of the report of the Fraud Commission; which was read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Johnston, of Buncombe: A bill to authorize the trustees of Mount Gilead meeting house to sell their property (in Haywood county.) Read and referred to committee on corporations.

A message was received from His Excellency the Governor transmitting the report of the President of the Western N. C. Railroad; which was read and referred to the committee on internal improvements.

By Mr. Kelsey: A bill to be entitled an act in relation to the writ of *mandamus*. Read and referred to the committee on judiciary.

CALENDAR.

S. R. instructing the Attorney General to sue out writ of *habeas corpus* for A. La Beattis, was taken up, and amend-

ments offered by the committee were concurred in, and resolution passed second and third readings, and amendments ordered engrossed.

When Mr. Mills, by consent, introduced a petition from citizens of Burke, praying relief from taxation in certain cases. Read and refered to judiciary committee.

Mr. Rankin, by consent, reported from the Committee on Salaries and Fees, adversely to House bills Nos. 80 and 23, and offered a new bill as a substitute therefor.

CALENDAR RESUMED.

H. B. to be entitled an act to incorporate Warren Lodge No. 101, F. and A. Masons, was taken up, and passed second and third readings, and ordered engrossed.

H. B. to be entitled an act to incorporate St. Peter's Lodge No. 1, Council of Friends of city of Newbern, was considered, and passed second and third readings, and ordered engrossed.

H. B., to be entitled an act concerning Constables, was taken up, and failed to pass, no quorum voting.

Mr. Ashe renewed the motion on the passage of the bill, and called the ayes and noes. The call was sustained, and the bill passed second reading. Ayes 60; noes 20.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Carson, Chamberlain, Clinard, Copeland, Crawford, Darden, Dickey, Drake, Duckworth, Dunham, Faulkner, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Hampton, Hardy, Houston, Johnston of Buncombe, Johnston of Edgecombe, Johns, Jones of Caldwell, Joyner of Jones, Joyner of Pitt, Kelly of Davidson, Kelly of Moore, Kincaid, Lassiter, Lucas, Martin, Marler, McAfee, McAllister, McNeill, Mills, Mitchell, Phillips, Paylor, Powell, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Wilcox, Woodhouse, Williamson and York—60.

Noes—Messrs. Bryant of Halifax, Bunn, Collis, Faulkner, Goodwin, Guyther, Hargrove, Johnston of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Reavis, Smith of Halifax, Sykes and Tucker of Craven—20.

On motion of Mr. Gregory, resolution to add a new rule to the rules of the House was taken up, and referred to judiciary committee.

A message was received from the Senate, transmitting for concurrence of the House, Senate bill to amend the charter of the Chatham Rail Road Company. Read and referred to the committee on internal improvements.

S. B., to consolidate Planters Railroad Company, and Wilmington & Onslow Railroad Company, read and referred to committee on internal improvements.

S. B. to be entitled an act to allow the transfer of certain causes pending in the late Courts of Equity in this State. Read and referred to the committee on the judiciary, and a

Resolution in favor of Commodore M. F. Maurey, with a report from the same. Read and referred to committee on agriculture.

H. B. for the relief of such persons as have suffered from loss of records in Clay county was taken up, and passed second and third readings and ordered engrossed.

S. R. in favor of M. C. Brinkley, was taken up, and on motion of Mr. Darden, laid on the table.

H. B. 80, to amend chapter 139, laws of 1870–71, was, on motion, laid on the table, and House bill No. 23, to amend section 11, chapter 139, an act in relation to salaries and fees of county officers and supreme court clerk, was, on motion, laid on the table, and bill reported by the committee on salaries and fees as a substitute for the above two last bills was taken up, and on motion, ordered to be printed and made special order for Monday, at 11 A. M.

H. B. to change the line between Hilton and Piny Creek Townships, in Ashe county, was taken up.

Mr. Rankin moved to amend, by inserting also the line between Clay and Green Townships, in Guilford county; which motion prevailed.

Mr. Harris, of Guilford, moved to lay the bill on the table; which did not prevail, and the bill passed second and third readings, and ordered engrossed.

H. R. concerning the printing of the report of the Fraud Commission, was taken up, and on motion, referred to committee on printing.

Mr. Ashe, by consent, reported a bill from the Finance Committee, to be entitled; "an act to raise revenue" which was read, and ordered printed.

H. B. to be entitled an act to change the line between Mitchell and Yancey counties was taken up, and passed second and third readings, and ordered engrossed.

H. B. to change an alley in the town of Shelby was taken up, and passed second and third readings, and ordered engrossed.

H. B. to incorporate "The Wateree Steamboat and Transportation Company" was considered, and passed second and third readings, and ordered engrossed.

H. B. to incorporate the Pioneer Steamboat and Transportation Company was taken up, and passed second and third readings, and ordered engrossed.

H. B. to incorporate the Wilmington and Atlantic Steamship Company was taken up, and passed second and third readings, and ordered engrossed.

H. B. to incorporate the College of Physicians and Surgeons of the City of Wilmington was taken up, and passed second and third readings, and ordered engrossed.

H. B. to be entitled an act to authorize R. C. Perkins, late sheriff of Burke county, to collect arrears of taxes, was taken up, and on motion, was referred to the committee on salaries and fees.

Leave of absence was granted to Mr. Paylor for three days from Saturday next.

Mr. McAfee was, by consent, relieved from duty on Committee on Judiciary.

The calendar being exhausted,

On motion, the House adjourned.

FRIDAY, DECEMBER 8th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

MEMORIALS PETITIONS &C., RECEIVED.

By Mr. Martin: A petition from citizens of Newbern protesting against amending the charter of the city, which was read and referred to the committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled, an act to incorporate the Whitney Manufacturing Company, and it was ratified.

BILLS INTRODUCED.

By Mr. Chamberlain: A bill to establish and lay out a Turnpike in the counties of Camden and Currituck; which was read and referred to committee on internal improvements.

By Mr. Brooks: A bill to authorize the Commissioners of Brunswick county to issue bonds; which was read and referred to committee on counties and towns.

By Mr. Regan: A bill to be entitled an act prescribing the

jurisdiction of Magistrates in civil causes; which was read and referred to the committee on judiciary.

By Mr. Morris: A bill to be entitled an act to amend chapter 139, laws of 1870-'71. Read and referred to the judiciary committee.

By Mr. Justice, by consent: A resolution concerning a recess. Read and placed on the calendar.

By Mr. Jordan, by consent: A resolution from the Committee on Printing, concerning the printing of the report of the Fraud Commission. Read and placed on the calendar.

CALENDAR.

S. R. concerning Commodore M. F. Maurey was considered, and passed second and third readings, and ordered enrolled.

H. B. to be entitled an act concerning constables, was taken up and failed to pass second reading.

H. R. concerning the printing of the report of the Fraud Commission was, on motion, taken up, and failed to pass for want of a quorum voting.

Mr. Waring renewed the motion on the passage of the resolution, and called the ayes and noes.

The called was sustained, and the resolution passed second reading. Ayes 76; Noes 15.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Buxton, Cawthorn, Carson, Copeland, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Ellison, Fisher, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Craven, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Marler, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Sykes,

Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse, Williamson and Young of Yancey—76.

Noes.—Messrs. Brown, Bryant of Halifax, Bryson, Bunn, Faulkner, Heaton, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Reavis, Smith of Halifax, Tucker of Craven and York—15.

On motion, the resolution was put on its third reading, and passed, and ordered engrossed;

When Mr. Sparrow, from the Judiciary Committee, by consent, reported favorably on bill to prevent the felling of trees in New river, Ashe county,

And on bill for revising and digesting the public statute laws of this State.

Mr. Phillips, from the same Committee, reported favorably on bill to amend an act to authorize the Commissioners of Cleaveland to issue bonds.

Mr. Waring, by consent, introduced a bill to amend the charter of the city of Charlotte. Read and referred to committee on counties, towns, &c.

CALENDAR RESUMED.

H. B. to prevent the felling of trees in New river, Ashe county, was, on motion, taken up, and passed second reading.

H. B. to provide for the revising and digesting the public statute laws of this State, was considered.

Mr. Robinson moved to postpone consideration indefinitely, and called the ayes and noes.

The call was sustained, and the motion prevailed. Ayes 74; Noes 23.

Ayes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Bean, Brooks, Brown, Bryant of Halifax, Bryson, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Faulkner, Fletcher, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guildford, Hargrove, Hardy, Heaton, Henderson, Houston,

Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, McAfee, McAllister, McCauley, Mitchell, Newsome, Nisson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stewart, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—74.

Noes—Messrs. Ashe, Bunn, Buxton, Cawthorn, Duckworth, Dunham, Fisher, Furr, Johnson of Edgecombe, Kelly of Moore, Martin, Marler, McNeill, Morris, Morgan of Montgomery, Mcrgan of Wake, Phillips, Sparrow, Sykes, Tucker of Iredell, Tucker of Craven, Willis and Williamson—23.

A message was received from the Senate, transmitting for concurrence of the House, S. B. to re-enact section 15, chapter 37, of the Revised Code. Read and referred to judiciary committee.

S. B. 24, to repeal an act to extend the corporate limits of the town of Rutherfordton. Read and referred to committee on corporations.

S. B. to re-enact section 6, chapter 102 of the Revised Code. Read and referred to committee on judiciary.

By Mr. Powell, by consent: A bill to be entitled an act to amend chapter 53, private laws of 1860–'61. Read and referred to committee on judiciary.

CALENDAR RESUMED.

H. B. to amend an act to authorize the Commissioners of Cleaveland county to issue bonds, was taken up, and passed second reading. Ayes 53; Noes 3.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Buxton, Carson, Clinard, Copeland, Darden, Dickey, Drake, Duckworth, Dunham, Fisher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Gregory, Guyther, Hargrove, Hardy, Henderson, Johnston of Buncombe, Jones of Northampton, Joyner of Johnston, Joyner of

Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Loftin, Marler, McAfee, McAllister, McCauley, McNeill, Morris, Mitchell, Newsome, Nicholson, Phillips, Powell, Rankin, Regan, Robinson, Scott, Shull, Sparrow, Stewart, Tucker of Iredell, Waring, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and Young of Yancey—65.

Noes—Messrs. Bunn, Faulkner and Johnston of Edgecombe.

H. R. concerning a recess, was, on motion, taken up. Mr. Johnston, of Buncombe, moved to lay the resolution on the table, on which Mr. Justice called the ayes and noes, and the motion to table prevailed. Ayes 56; Noes 33.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryant of Halifax, Bryson, Cawthorn, Clinard, Crawford, Dickey, Drake, Duckworth, Dunham, Fisher, Furr, Gambrel, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnson, Joyner of Pitt, Kelly of Davidson, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Marler, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Rankin, Reavis, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Tucker of Iredell, Waring, Withers, Wilcox, Womach—56.

Noes—Messrs. Bean, Brown, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Ellison, Faulkner, Garrison, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgcombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Phillips, Paylor, Sykes, Tucker of Craven, Willis, Woodhouse, Williamson—33.

On motion of Mr. Waring, H. B. to abolish the office of State Geologist, was taken up.

Mr. Justice moved to lay bill on the table, which did not prevail.

Mr. Brown, to make bill special order for Tuesday next, which did not prevail.

Mr. Jones, of Caldwell, moved to lay the bill on the table.

The ayes and noes were called on the motion, and it did not prevail. Ayes 41; Noes 57.

Ayes—Messrs. Armstrong, Ashe, Bean, Bryant of Halifax, Bunn, Cawthorn, Copeland, Currie, Darden, Dunham, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwin, Harris of Franklin, Hardy, Heaton, Jones of Caldwell, Joyner of Pitt, Justice, Kelly of Moore, Luckey, McAllister, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Phillips, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Tucker of Craven, Willis and Williamson—41.

Noes—Messrs. Anderson, Atwater, Brooks, Broadfoot, Brown, Bryson, Buxton, Carson, Chamberlain, Clinard, Collis, Crawford, Dickey, Drake, Duckworth, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Kelly of Davie, Kelsey, Kincaid, Lassiter, Loftin, Lyon, Marler, McCauley, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Settle, Shull, Sykes, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and York—57.

And the ayes and noes were called on the third reading of the bill, and it passed. Ayes 53; Noes 43.

Ayes—Messrs. Anderson, Atwater, Broadfoot, Brown, Bryan of Jones, Bryson, Buxton, Chamberlain, Clinard, Crawford, Dickey, Drake, Duckworth, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris, of Guilford, Hargrove, Hardy, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Kelly of Davidson, Kelsey, Kincaid, Lassiter, Loftin, Lyon, Marler, Mills, Mitchell, Newsome, Powell, Reid, Regan, Robinson, Settle, Shull, Stewart, Sykes, Waring, Withers, Wilcox, Woodhouse, and York—53.

Noes—Messrs. Armstrong, Ashe, Bean, Brooks, Bryant of Halifax, Bunn, Carson, Copeland, Currie, Darden, Dunham, Ellison, Faulkner, Fisher, Fletcher, Garrison, Harris of Franklin,

Heaton, Henderson, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Justice, Kelly of Moore, Lucky, McAllister, McNeill, Morris, Morgan of Montgomery, Nicholson, Nisson, Phillips, Rankin, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Tucker of Iredell, Tucker of Craven, Willis, Womack and Williamson—43.

A message was received from the Senate transmitting for concurrence of the House, S. B. to amend section 1, chapter 273, laws of 1868–'9;

S. B., to amend section 4, chapter 35, of Revised Code, relating to fugitives from justice;

S. B., to incorporate the Altamaha Coal Company;

S. B., to empower the Commissioners of Randolph and Davidson counties to establish the dividing line between the said counties, which was, by consent, placed on the calendar.

The other bills were referred to committees.

Leaves of absence were granted to Messrs. Maxwell for one day, Powell for one day, Atwater for two days, Jones, of Northampton, two days, and Mabson for one day.

Mr. Welch was reported absent on account of sickness.

Mr. Jones, of Caldwell, moved to adjourn; on which

Mr. Anderson called the ayes and noes.

The call was was not sustained, and the House adjourned.

SATURDAY, December 9th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Tucker, of the House.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C.

By Mr. Morris: A petition from citizens of Henderson con-

cerning the killing of deer. Read and referred to committee on propositions and grievances.

REPORTS OF COMMITTEES.

Mr. Robbins, from Committee on Enrolled Bills, reported as correctly enrolled: An act to incorporate Flat Swamp, Lock's Creek and Evans' Creek Canal Company; and it was ratified.

Mr. Ashe, from the Judiciary Committee, reported unfavorably on bill to be entitled an act prescribing the jurisdiction of justices of the peace in civil causes; on bill to be entitled an act to amend section 1, chapter 273, of laws of 1868–'69, and on bill to be entitled an act to amend chapter 53, private laws of 1860–'61; favorably, on Senate bill to re-enact section 15, chapter 37 of the Revised Code, and on Senate bill to allow the transfer of causes pending in the late courts of and equity; asking reference to the Committee on Salaries and Fees, of House bill to amend chapter 139, laws of 1870–'71, which was so referred; and favorably on House bill for the benefit of the tax-payers of Madison county.

Mr. McCauley, from Committee on Judiciary, reported favorably on Senate bill to amend section 4, chapter 35, Revised Code, relating to fugitives from justice; and on bill to amend section 95, chapter 113, laws of 1868–'69.

Mr. Broadfoot, from the Committee on Corporations, reported a substitute to House bill to repeal chapter 29, Laws of 1870–'71, in a bill to amend chapter 29, laws of 1870–'71.

Mr. Jones, of Caldwell, presented a majority report from Joint Select Committee on affairs of the public printing, signed by Senator J. M. Worth and Representatives Jones and Withers. Placed on calendar.

Mr. Justice gave notice of a minority report.

Mr. Tucker, from the Judiciary Committee, reported favorably on bill concerning joint contracts, and on bill to authorize the commissioners of Bertie county to issue bonds; and un-

favorably on bill to protect commissioners of counties from imprisonment, and on bill to amend an act for the protection of mechanics and other laborers and materials.

Mr. Sparrow, from the same committee, reported a resolution to raise a select committee to enquire into the authenticity of a letter read by George L. Mabson before the House of Representatives. Read and placed on the calendar.

RESOLUTIONS INTRODUCED.

By Mr. Sykes: A resolution in regard to Public Schools. Read and placed on the calendar.

By Mr. Morris: A resolution regarding adjournment. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Broadfoot: A bill to incorporate the Fayetteville Building and Loan Association. Read and referred to committee on corporations.

By Mr. Grayson: A bill, with a memorial, to incorporate the village of Excelsior, in Burke county. Read and referred to committee on corporations.

By Mr. McAfee: A bill to be entitled an act to regulate the collection of taxes; which was read and referred to the committee on finance.

The calendar was taken up, when

Mr. Cawthorn moved to reconsider the vote by which the House laid on the table the resolution regarding recess.

Mr. Johnston, of Buncombe, moved to lay the motion on the table, and

The motion to table, under a call for the ayes and noes, prevailed. Ayes 52; Noes 20.

AYES.—Messrs. Anderson, Armstrong, Ashe, Bean, Broadfoot, Brown, Bryant of Halifax, Cawthorn, Carson, Clinard, Crawford, Currie, Drake, Dunham, Fisher, Gambrel, Gore,

Grayson, Guyther, Hampton, Houston, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Martin, McAfee, McCauley, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Robinson, Scott, Settle, Shull, Smith of Anson, Sparrow, Tucker of Iredell, Waring, Wilcox, Woodhouse and York—52.

NOES—Messrs. Bunn, Collis, Copeland, Fletcher, Garrison, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Wake, Nisson, Reavis, Smith of Halifax, Tucker of Craven, and Willis—20.

H. B., to be entitled an act to provide for the collection of taxes by the State and the several Counties of the State, was taken up, and, on motion, considered by sections.

Sections 1, 2, 3, 4 and 5 were read and adopted.

Section 6 was amended, on motion of Mr. Justice, and adopted.

Mr. Brown moved to postpone further consideration to Tuesday.

Mr. McAllister moved to amend by postponing to Thursday.

Neither of the motions prevailed, and sections 7, 8, 9 and 10 were read and adopted.

Section 11 was read, and

Mr. Hardy moved to strike out sub-division 5, (the exemption clause.)

Mr. Jones, of Caldwell, moved to amend by striking out "two hundred" and insert "twenty-five."

Neither prevailed.

Mr. Chamberlain moved to insert in the sub-division, after the word instruments, "or any other property, at the option of the owner."

The motion did not prevail.

Mr. Robinson moved to amend by striking out the words "Masonic Fraternity, Odd Fellows, Good Templars and Friends of Temperance."

The motion was lost, and sub-division 6 was, on motion of Mr. Ashe, amended.

Section 11, as amended, was adopted.

Section 12 was read and adopted.

Pending further action, Mr. Gregory, by consent, reported from the Committee on Internal Improvements, favorably, on Senate bill to amend the charter of the Chatham Railroad Company.

Consideration of the bill was resumed, when Mr. Hargrove moved to amend section 13, by inserting a clause requiring a new assessment of property, and called the ayes and noes on its adoption.

The call was sustained, and the amendment was not adopted. Ayes 26; Noes 54.

AYES.—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Cawthorn, Carson, Copeland, Dickey, Duckworth, Fletcher, Garrison, Goodwin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Lyon, Morgan of Wake, Nisson, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—26.

NOES.—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Bryson, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Houston, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Montgomery, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, McAfee, McAllister, McCauley, McNeill, Morris, Newsome, Nicholson, Rankin, Reid, Regan, Robinson, Smith of Anson, Sparrow, Tucker of Iredell, Waring, Wilcox, Woodhouse and York—54

And section 13 was adopted.

Sections 14, 15, 16 and 17 were read and adopted,

When Mr. Martin moved to adjourn.

On which, Mr. Goodwin called the ayes and noes.

The call was sustained, and the House refused to adjourn. Ayes 19; Noes 54.

AYES—Messrs. Broadfoot, Cawthorn, Crawford, Fletcher,

Goodwin, Gore, Harris of Franklin, Hargrove, Johnston of Edgecombe, Jones of Northampton, Justice, Luckey, Martin, McNeill, Newsome, Reid, Sykes, Tucker of Craven and Williamson—19.

Noes—Messrs. Anderson, Armstrong, Ashe, Bean, Brooks, Brown, Bryson, Chamberlain, Clinard, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Faulkner, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Houston, Johnston of Buncombe, Johns, Joyner of Johnson, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincaid, Lucas, Marler, McAfee, McAllister, McCauley, Morris, Morgan of Wake, Nicholson, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Tucker of Iredell, Waring, Willis, Woodhouse and York—54.

Sections 18, 19 and 20 were read and adopted.

Mr. Phillips, by consent, introduced a bill to incorporate the Oak City Savings Bank of Raleigh, which was read and referred to committee on corporations.

Mr. Houston: A bill to incorporate The Catawba and Lincoln Mining and Manufacturing Company of North Carolina. Read and referred to the committee on internal improvements.

Mr. Nicholson: A resolution of instructions to the Judiciary Committee, which was read and placed on the calendar under the rules.

Mr. Welch was reported sick.

Leaves of absence were granted Messrs. Hinnant, Nisson and Withers for one day each, McCauley for two days, Smith of Anson until Tuesday next, and Darden for one week from Tuesday, when,

On motion, the House adjourned.

MONDAY, DECEMBER 11th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Atkinson, of the city.

The Journal of the last day's proceedings was read and approved.

REPORTS OF COMMITTEES.

Mr. Justice, from Joint Select Committee on affairs of the Public Printing presented a minority report signed by Senator Hawkins and himself.

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed:

Bill to change the line between Yancy and Mitchell counties;

Bill to incorporate the College of Physicians and Surgeons of the city of Wilmington;

Bill to incorporate Warren Lodge, No. 101, F. and A. M.;

Bill to incorporate St. Peter's Lodge, No. 1, Council of Friends, of the city of Newbern;

H. B. to incorporate the Wateree Steamboat and Transportation Company, and

Bill to incorporate the Wilmington and Atlantic Steamship Company;

And a message was sent transmitting them to the Senate and asking concurrence therein.

Mr. McAllister, from the same Committee, reported as correctly engrossed:

Bill to amend the charter of the town of Beaufort;

Bill to change the line between Helton and Piney Creek Townships in Ashe county, and Clay and Green Townships in Guilford county, and

Bill for the relief of such persons as have suffered from loss of records in Clay county,

And a message was sent transmitting the same to the Senate for concurrence.

Mr. Joyner, of Johnston, from the Committee on Corporations, reported favorably on bill to incorporate the Beaufort, Peabody Educational Association.

RESOLUTIONS INTRODUCED.

By Mr. Harris, of Guilford: A resolution to consolidate the index of land grants. Read and placed on the calendar.

Mr. Sparrow by consent, reported from the Judiciary Committee, asking discharge from further consideration of resolution to raise a Joint Committee on the Public Debt;

On resolution of instructions to the Committee, and on petition from Commissioners of Burke;

Favorably on bill to interpret section 35, of Code Civil Procedure, and

Unfavorably on bill to enable the Commissioners of Burke and other counties to consolidate the debts of their respective counties.

BILLS INTRODUCED.

By Mr. Ashe: A bill to incorporate The Willards Bank of the city of Wilmington. Read and referred to the committee on corporations.

By the same: A bill "to incorporate the Mutual Insurance Company, of Wilmington." Read and referred to the committee on corporations.

By the same: A bill to amend section 131, of the Code of Civil Procedure. Read and referred to the committee on judiciary.

By Mr. Sykes: A bill to amend chapter 93, of private laws of 1870–71. Read and referred to committee on judiciary.

By Mr. Bryson: A bill to change the line between the

counties of Macon, Jackson and Swain. Read and referred to committee on counties, towns, &c.

By Mr. Mills: A bill to lay off a public highway in the counties of Burke and Mitchell. Read and by consent placed on the calendar.

By consent Mr. Gregory, from the Committee on Internal Improvements, reported favorably on bill to charter the Border Railroad Company.

When the calendar was taken up.

Mr. Justice moved to postpone the unfinished business, and to consider the reports from Joint Select Committee on affairs of the Public Printing, which did not prevail, and the unfinished business was taken up, (to provide for collection of taxes.)

Sections 21, 22, 23, 24 and 25 were read and adopted.

Section 25 was read.

Mr. Loftin moved to amend by striking out "August" and inserting September, which failed for want of a quorum.

The motion was renewed, and the ayes and noes were called, and amendment was not adopted. Ayes 31; Noes 45.

AYES—Messrs. Armstrong, Bryant of Halifax, Bunn, Cawthorn, Collis, Ellison, Fletcher, Garrison, Gullick, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Kincaid, Loftin, Lucas, Lyon, Marler, McCauley, Morgan of Wake, Newsome, Reavis, Settle, Smith of Halifax, Sykes, Tucker of Iredell, Willis, Woodhouse and Williamson—31.

NOES—Messrs. Anderson, Ashe, Atkinson, Bean, Broadfoot, Brown, Clinard, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, Fisher, Furr, Gambrel, Gatling, Grayson, Gregory, Hampton, Henderson, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly, of Davie, Lassiter, Luckey, Martin, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Mills, Mitchell, Rankin, Reid, Robinson, Shull, Smith of Anson, Stewart, Waring, Young of Yancey and York—46.

Mr. Marler moved to amend, by striking out August and inserting July, which failed.

Mr. Goodwin to strike out August and insert October, which failed, and the section was adopted unamended.

Section 27 was read, when Mr. Hargrove moved to amend by striking out 21st of November, and insert 1st Monday in September.

Mr. Loftin to amend amendment by striking out November and insert October; which was adopted, and amendment was adopted.

Mr. Marler to further amend by striking out all after the word "shall" in first line, to "attend" in line 6th.

Mr. Loftin to amend amendment by striking out October, in line 7, and insert August; both motions prevailed, and

Mr. Reid moved a substitute to the section, which was adopted.

Sections, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 were read and adopted without amendment.

On passage of the bill as a whole, section 1, was on motion of Mr. Dunham, amended, and after various other verbal amendments, the bill passed second reading, and was on motion of Mr. Ashe, made special order for Thursday at 11 A. M.

On motion of Mr. Gregory, Senate bill to amend the charter of the Chatham Railroad Company was taken up and made special order for to-morrow at 11 A. M.

A message was received from His Excellency, the Governor, transmitting a communication from Major H. C. Hodges, U. S. A., regarding the purchase of the U. S. Government of a site for a National Cemetery at Salisbury, which was read and referred to committee on military affairs.

A message was received from the Senate, transmitting for concurrence, Senate bill to provide for collection of arrears of taxes in Jackson county. Read and referred to committee on counties, towns, &c.

S. B. to authorize the Commissioners of Lincoln county to issue bonds. Read and referred to committee on counties, towns, &c.

S. R. regarding the lease of North Carolina Railroad, read and referred to committee on internal improvements.

S. R. " to insure the early printing of the laws. Read and placed on the calendar; and

S. R. to raise a Joint Committee on re-districting the State. Read and placed on the calendar.

Substitute to House bill 32. To amend chapter 29, laws of 1870–71 was taken up, amended on motion of Mr. Robinson, and adopted, and passed second and third readings and ordered engrossed.

On motion of Mr. Joyner, of Johnston, House bill to add certain subdivisions to chapter 139, section 11, laws of 1870–71 was taken up, ordered to print and made special order for Wednesday at 11 A. M.

H. R. requesting opinion of Judiciary Committee (regarding a usury law) was considered and adopted.

Mr. Hargrove by consent, introduced a bill in favor of James I. Moore, sheriff of Granville. Read and referred to the judiciary committee, and

Mr. McCauley a bill to be entitled an act to amend the Code of Civil Procedure. Read and referred to judiciary committee.

H. R. to raise a Senate committee of three on indexing of the land grants was taken up and adopted.

S. B. to authorize the commissioners of Bertie to issue bonds, was taken up, and passed second reading. Ayes 35; Noes 34.

AYES.—Messrs. Ashe, Bean, Bunn, Carson, Collis, Darden, Drake, Ellison, Faulkner, Fisher, Fletcher, Garrison, Guyther, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Kelly of Moore, Kelsey, Kincaid, Loftin, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Reavis, Smith of Halifax, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Willis and York—35.

NOES.—Messrs. Anderson, Armstrong, Brooks, Brown, Bryson, Cawthorn, Chamberlain, Clinard, Currie, Duckworth,

Dunham, Gambrel, Gullick, Grayson, Henderson, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelley of Davie, Lassiter, Martin, Marler, McAfee, McNeill, Mitchell, Nicholson, Reid, Robinson, Scott, Shull, Smith of Anson, Woodhouse and Williamson—34.

Mr. Nicholson, by consent, introduced a bill to allow a mortgage deposit in lieu of individual security or money deposit. Read and referred to the judiciary committee.

And Mr. Houston, a resolution in favor of night session. Read and placed on the calendar.

Messrs. Harris, of Guilford, McCauley and Sykes were appointed special committee on index to land grants.

Leaves of absence were granted Messrs. Gore and Regan, and Mr. Welch was reported absent on account of sickness.

When, on motion, the House adjourned.

TUESDAY, DECEMBER 12TH, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C.

By Mr. Joyner, of Johnston: A memorial signed by many citizens of the State, concerning the sale of intoxicating drinks. Read and placed on the table under the rules.

By Mr. Justice: A petition signed by six hundred people, praying the organization of a new county out of Rutherford, Cleaveland, Burke, Catawba and Lincoln counties. Read and referred to committee on counties, towns, &c.

By Mr. Maxwell: A petition from citizens of Harnett county againt the sale of intoxicating liquors. Read and referred to committee on propositions and grievances.

By Mr. Kelly, of Moore: A petition from citizens of Moore concerning the sale of intoxicating liquors. Read and referred as above petition.

REPORTS OF COMMITTEES.

Mr. Rankin, from the Committee on Salaries and Fees, reported favorably on H. B. to amend section 13, chapter 139, laws of 1870–'71, to limit the *per diem* of witnesses in State cases to one dollar.

Mr. Clinard, from the Committee on Engrossed Bills, reported as correctly engrossed

H. B. to change an alley in the town of Shelby, and

H. B. to incorporate the Pioneer Transportation Company.

A message was sent transmitting the same to the Senate for concurrence.

Mr. McNeill, from the Committee on Propositions and Grievances, reported unfavorably on H. B. to authorize R. C. Perkins, late sheriff of Burke, to collect arrears of taxes.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on H. B. to incorporate the Fayetteville Building and Loan Association.

INTRODUCTION OF BILLS.

By Mr. Hargrove: A bill to authorize James I. Moore, sheriff of Granville, to collect arrears of taxes. Read and referred to the judiciary committee.

By Mr. Hardy: A bill to establish the dividing line between the counties of Wayne and Greene. Read and referred to committee on counties, towns, &c.

By Mr. Jordan: A bill to prohibit the sale of intoxicating liquors. Read and referred to committee on propositions and grievances.

By Mr. McCauley: A bill concerning index in the registration of deeds. Read and referred to the judiciary committee.

By Mr. Tucker, of Craven : A bill defining personal property exemption to tax payers. Read and referred to the committee on finance.

By Mr. Bean : A bill to amend section 36, sub-division 3, of school law of 1869. Read and referred to committee on education.

By Mr. Ashe : A bill to amend chapter 6, of private laws of 1870–'71. Read and referred to the judiciary committee.

By Mr. Reid : A bill to authorize the several counties of the State to regulate the running at large of stock. Read and referred to committee on agriculture.

Mr. Tucker, of Iredell, from the Judiciary Committee, reported favorably on bill to amend chapter 93, private laws of 1870–'71 ; and on

Bill to be entitled an act to amend section 151, of the Code of Civil Procedure.

Mr. Jones, of Caldwell, in the chair.

The calendar was taken up.

S. R., to raise a Joint Committee on re-districting the State, was taken up, and on motion, laid on the table ; and a message was sent to the Senate announcing the action of the House.

H. R., in regard to common schools was taken up, and adopted.

S. B., to allow the Commissioners of Randolph and Davidson counties to establish the dividing line between said counties was taken up, passed second and third readings, and ordered enrolled.

Mr. McAfee, from the Committee on Corporations, reported favorably on bill to incorporate Rocky Mount University Institute.

Special order being bill to amend the charter of the Chatham Railroad Company was taken up.

Mr. Broadfoot moved a proviso, that the Company be not released from its obligations to build its road to the Gulf, in Chatham county.

Mr. Ashe moved to postpone further consideration for ten days; which did not prevail.

Mr. Broadfoot called the ayes and noes on his proviso.

The call was sustained, and the proviso was not adopted. Ayes 19; Noes 73.

Ayes—Messrs. Armstrong, Atkinson, Broadfoot, Currie, Dunham, Garrison, Harris of Guilford, Hinnant, Joyner of Johnston, Joyner of Pitt, Lucas, McAllister, McCauley, McNeill, Rankin, Robinson, Standford, Stewart and Womack—19.

Noes—Messrs. Ashe, Atwater, Bean, Brooks, Brown, Bryant of Halifax, Bunn, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Dickey, Drake, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Gatling, Gullick, Gregory, Guyther, Hampton, Hargrove, Hardy, Heaton, Henderson, Johnson of Edgecombe, Johns, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Loftin, Luckey, Lyon, Martin, Mabson, Marler, McAfee, Morris, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsome, Nicholson, Nisson, Reavis, Reid, Settle, Shull, Smith of Anson, Smith of Halifax, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Withers, Willis, Wilcox, Woodhouse, Williamson, Young of Wake, Young of Yancey and York—73.

And bill passed second reading.

On motion to suspend the rules, it was read the third time.

Mr. Broadfoot moved a proviso, that the road surrender other than Special Tax bonds as evidences of debt which they may surrender.

Mr. Jordan moved to adjourn.

The motion did not prevail.

The proviso was not adopted, and the bill passed third reading.

Mr. Gregory moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table; which motion prevailed.

By Mr. Phillips : A bill to amend the charter of the city of Raleigh. Read and referred to committee on corporations.

By Mr. Smith, of Anson : A bill to amend title XIX, chapter 11, Code of Civil Procedure. Read and referred to committee on judiciary.

By Mr. Robinson : A bill to extend the time of James Cansler, tax collector of Macon county, to settle with the county treasurer. Read and placed on the calendar.

By the same : A resolution of instruction to the Auditor, concerning the pay of certain witnesses. Read and placed on the calendar.

Leaves of absence were granted Mr Grayson indefinitely on account of sickness in family ; Mr. Welch indefinitely, on account of sickness.

Mr. Sparrow was reported absent on account of sickness, and leaves were granted Messrs. Harris, of Franklin, for two days, and Smith, of Halifax, from Friday till Tuesday next.

The following House branch of the Joint Committee on redistricting the State, was appointed :

1st District.—Messrs. Lucas and Buxton.

2d District.—Messrs. Dunham and Hardy.

3d District.—Messrs. Currie and Ashe.

4th District.—Messrs. Womack and Lyon.

5th District.—Messrs. McAllister and Johns.

6th District.—Messrs. Reid and Kelly, of Davie.

7th District.—Messrs. Young, of Yancey, and Morris.

On motion, the House adjourned.

WEDNESDAY, December 13th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Flythe, of the Senate.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on Senate bill to incorporate Altamaha Coal Company.

Mr. Johnston, of Buncombe, from the Committee on Finance, reported unfavorably on House bill to authorize James I. Moore, sheriff of Granville, to collect arrears of taxes, and on bill to define personal property exemption to tax-payers.

RESOLUTIONS INTRODUCED.

By Mr. Woodhouse: A resolution in favor of T. F. Baxter, sheriff of Currituck county. Read and referred to committee on finance.

By Mr. Marler: A resolution of instructions to the Committee on Education. Read and placed on the calandar.

BILLS INTRODUCED.

By Mr. Broadfoot: A bill to incorporate The Murphy Mills Manufacturing Company, of Cumberland County. Read and referred to committee on corporations.

By Mr. Justice: A bill to lay off and establish a new county by the name of Jefferson. Read and referred to committee on counties, towns, &c.

By Mr. Chamberlain: A bill to amend the charter of the town of Edenton. Read and referred to committee on counties, towns, &c.

A message was received from His Excellency the Governor, transmitting the report of the Superintendent of the Asylum for the Deaf, Dumb and Blind; which was, on motion, transmitted to the Senate with proposition to print.

By Mr. Carson: A bill to incorporate the Charlotte and Taylorsville Railroad Company. Read and referred to committee on internal improvements.

The Calendar was taken up.

H. B. to incorporate the Beaufort Peabody Education Association was considered.

Mr. Loftin moved to amend, providing that nothing in the act shall apply to hotels in the town, which was not adopted, and the bill passed second reading, and under a call for ayes and noes, its third reading. Ayes 64; noes 14.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Bean, Brooks, Brown, Bryson, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Drake, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Gambrel, Garrison, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Johnson, Joyner of Pitt, Jordan, Kelly of Moore, Kincaid, Lassiter, Lyon, Martin, Mabson, McAfee, McAllister, McCauley, NcNeill, Morris, Morgan of Montgomery, Mitchell, Newsome, Nicholson, Nisson, Reid, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Willis, Wilcox, Womack, Woodhouse, Williamson and York—64.

Noes—Messrs. Anderson, Broadfoot, Bryant of Halifax, Bunn, Chamberlain, Gullick, Guyther, Hinnant, Justice, Loftin, Lucas, Mills, Settle, and Yonng of Yancey—14.

Mr. Martin asked to withdraw the petition accompanying the bill; which was not granted, no quorum voting.

Mr. Loftin moved to allow the withdrawal, and called the ayes and noes.

The call was sustained, and the motion prevailed. Ayes 68; noes 11.

Ayes—Messrs. Anderson, Ashe, Atwater, Atkinson, Bean, Brooks, Brown, Buxton, Carson, Clinard, Collis, Copeland, Crawford, Dickey, Drake, Dunham, Ellison, Fisher, Fletcher, Furr, Gambrel, Garrison, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Henderson, Houston, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Moore,

Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Marler, McAfee McCauley, Morris, Morgan of Montgomery, Mills, Mitchell, Newsome, Nicholson, Nisson, Robinson, Smith of Anson, Smith of Halifax, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Wilcox, Willis, Womack, Woodhouse, Williamson, Young of Yancey and York—68.

NOES—Messrs. Armstrong, Bryant of Halifax, Bunn, Cawthorne, Chamberlain, Dudley, Faulkner, Hinnant, Johns, Mabson and McAllister—11.

S. B., to secure the early printing of the laws was considered, and passed second and third readings, and ordered enrolled.

Mr. Harris, of Guilford, from Special Committee on Indexing Land Grants, reported favorably on the resolution.

Mr. Tucker, of Iredell, from the Judiciary Committee, reported favorably on H. B. to amend chapter 6, Private Laws of 1870–'71; and on

H. B. in favor of James I. Moore, sheriff of Granville.

H. R. of instructions to the Auditor concerning the pay of certain witnesses was considered, and passed second and third readings, and ordered engrossed.

H. B. to be entitled an act to raise revenue was then taken up, and, on motion, considered by sections.

Sections 1 and 2 were read and adopted.

CLASS 1.

Sections 1 and 2 were read and adopted.

Section 3 was read.

Mr. Robinson moved to strike out "12 cents" and insert "9 cents;" which was withdrawn.

Mr. York moved to strike out the section.

Mr. Waring moved to strike out "12" and insert "5."

Pending further action, (Mr. Phillips in the chair,) a message was received from the Senate, transmitting for the concurrence of the House,

S. B. to construct a turnpike between Marion and Burnsville. Read and referred to committee on internal improvements.

S. B. to authorize the payment, by the Public Treasurer, of costs, in cases where the State appeals or sues out writs of error to the Supreme Court of the United States. Read and referred to committee on finance.

S. B. to erect a tollgate between Franklin, N. C., and Clayton, Georgia. Read and referred to committee on internal improvements.

S. B. in relation to certain vacant lands. Read and referred to the judiciary committee.

S. B. to amend section 303, of Code of Civil Procedure. Read and referred to the judiciary committee.

S B. to incorporate the Wilmington Literary Association. Read and referred to committee on corporations.

S. R. of instructions to the Public Treasurer, and

S. R. in favor of Jno. M. Cloud, Judge of the 8th Judicial District. Read and referred to committee on propositions and grievances.

Mr. Rankin, by consent, introduced a bill to add certain sub-divisions to section 11, chapter 139, laws of 1870-'71, (in lieu of bill with same title mislaid ;) which was read ordered to print.

Mr. Withers: A bill to amend act to charter the Bank of Caswell. Read and placed on the calendar.

Mr. Speaker in the chair.

By Mr. Phillips: A bill to incorporate the Board of Trade of the City of Raleigh. Read and referred to committee on corporations.

By the same: A bill to incorporate the Great Fall Manufacturing Company of Wake county. Read and referred to committee on corporations.

Mr. Dunham moved to re-consider the vote by which motion to re-consider the vote by which S. B. to amend the

charter of the Chatham Railroad Company passed its third reading, was laid on the table.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to empower the Commissioners of Randolph and Davidson counties to establish the dividing county line;

An act concerning the Chatham Railroad Company, amendatory of certain acts authorizing a change of name;

An act to require the commission appointed by act of the General Assembly of 24th of March, 1870, to report to the Governor, and for other purposes;

Resolution to authorize the Attorney General to sue out a writ of *habeas corpus* for Allen Bettus;

Resolution in favor of J. D. Cameron;

Resolution complimentary to Commodore M. F. Maurey, and

Resolution of instructions to the Public Treasurer.

And they were ratified.

Mr. Kincaid, from Committee on Enrolled Bills, reported as correctly engrossed

H. B. to amend the Code of Civil Procedure in relation to executions, and resolutions in regard to public schools; and a message was sent transmitting them to the Senate for concurrence.

H. B. to amend an act to charter the Bank of Caswell was taken up, on motion, and passed second and third readings, and ordered engrossed.

H. R. in regard to consolidation of the index of land grants was taken up.

The hour for the election of a Keeper of the Capitol having arrived, a message was sent asking concurrence of the Senate in holding the election; also, announcing that Messrs. Nicholson and Morgan, of Montgomery, were appointed to superintend the election on part of the House, and announcing that Messrs. Patrick McGowan, R. H. Furlough and Friday Jones were in nomination.

A message was received from the Senate announcing concurrence in the proposition of the House; and that Messrs. Currie and Moore were appointed to superintend the election on the part of the Senate.

The vote was taken, and the tellers announced that the whole number of votes was 137; of which Mr. McGowan received 60, Mr. Furlough 30, and Friday Jones 5.

For Mr. McGowan—Messrs. Anderson, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Cawthorn, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gullick, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Luckey, Martin, Mabson, Marler, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Phillips, Ranklin, Reid, Robinson, Smith of of Anson, Sparrow, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—60.

For Mr. Furlough—Messrs. Armstrong, Brown, Bryant of Halifax, Bryson, Buxton, Collis, Copeland, Faulkner, Fletcher, Garrison, Guyther, Harris of Granville, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Justice, Lassiter, Loftin, Lyon, Maxwell, Morris, Morgan of Montgomery, Nisson, Smith of Halifax, Smith of Wayne, Standford and Williamson—30.

For Mr. Jones—Messrs. Bunn, Dudley, Ellison, Morgan of Wake and Willis—5.

Whole number 95. For Patrick McGowan, 60; for Furlough, 30; for Friday Jones, 5.

And that as Mr. McGowan had received a majority of all the votes cast, he was duly elected Keeper of the Capitol, and he was so declared.

Mr. Ashe then moved to commit the resolution concerning index of land grants to the Committee on Propositions and Grievances, and the motion prevailed.

Mr. Luckey, by consent, introduced a resolution concerning the better heating and ventilation of the halls of the capitol. Read and placed on the calendar.

Leaves of absence were granted Messrs. Strudwick and Bryan, of Jones, on account of sickness, and Robbins for two days.

Mr. McCauley, from Committee on Counties and Towns, reported favorably on House bill to establish the line between Wayne and Greene counties;

A substitute to bill to authorize the Commissioners of Brunswick to issue bonds;

Favorably on House bill to change the line between the counties of Macon, Jackson and Swain.;

On bill to amend the charter of the city of Charlotte; and on bill to repeal an act to extend the corporate limits of the town of Rutherford.

Mr. McCauley, by consent, introduced a bill to be entitled an act in relation to Commissioners. Read and referred to committees on counties and towns.

By Mr. Ashe: A bill to require certain officers to submit estimates of necessary expenses; which was read, and referred to committee on finance.

On motion, the House adjourned.

THURSDAY, December 14th, 1871.

The House met at 10 A. M. Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Mason, of the City.

The Journal of yesterday was read and approved.

RECEPTION OF PETITIONS, MEMORIALS, &C.

By Mr. Standford: A petition from citizens, regarding the

sale of intoxicating liquors. Read and referred to committee on proposition and grievances.

REPORTS OF COMMITTEES.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled; An act to prevent the sale of spirituous liquors within two miles of Shiloh Church, in Anson county; and an act to insure the early printing of the laws; and they were ratified.

Mr. Broadfoot, from Committee on Corporations, reported favorably on bill to incorporate the Murphy Mills Manufacturing Company of Cumberland county; on bill to authorize the trustees of Mt. Gilead meeting and school house of Haywood county to sell their property; on S. B. to incorporate the Wilmington Library Association; on amendments to bill to incorporate the Great Falls Manufacturing Company, of the county of Wake; and a substitute to bill to incorporate the village of Excelsior, in the county of Burke.

Mr. Settle, from the Judiciary Committee, reported a substitute for bill to require Superior Court Clerks to reside at the county seats.

Mr. Standford, from same committee, reported a bill to provide for the enforcement of one hundred dollars provided for by chapter 105, section 17, of the Revised Code; and favorably on Senate bill to authorize the payment by the Treasurer of costs in cases where the State appeals or sues out writs of error to the Supreme Court of the United States.

Mr. Crawford, from Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to be entitled an act to amend the charter of the bank of Caswell;

H. B. to amend chapter 39, laws of 1870–'71; and

R. of instructions to the Auditor to audit accounts of certain witnesses and a messenger; and a message was sent transmitting them to the Senate for concurrence.

Mr. Duckworth, from Committee on Military Affairs, reported unfavorably on resolution of enquiry of the Secretary of State, and favorably on bill accompanying communication of H. C. Hodges, Major U. S. A., concerning the purchase by the government of a site for national cemetery at Salisbury.

RESOLUTIONS INTRODUCED.

By Mr. Dunham: A resolution concerning the contract for the public printing. Read and placed on the calendar.

By Mr. Dunham: A resolution of instructions to the Public Treasurer. Read and referred to finance committee.

By Mr. Cawthorn: A joint resolution concerning adjournment. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Joyner: A bill to amend section 5, chapter 237, laws of 1870-'71. Read and referred to the judiciary committee.

By Mr. Copeland: A bill to repeal chapter 188, laws of 1870-'71. Read and referred to committee on privileges and elections.

By Mr. Ellison: A bill to incorporate the Victor Fire Company, No. 1, of the city of Raleigh. Read and referred to committee on corporations.

By Mr. Mitchell: A bill to allow school committees pay for their services. Read and referred to the committee on education.

Mr. Sparrow, by consent, reported from the Judiciary Committee, unfavorably on resolution to add another rule to the rules of the House, stating reasons for the report; also, on

Resolution concerning certain charges against F. N. Strudwick and other officers and members of the General Assembly.

Mr. Ashe gave notice of a minority report on same resolution.

On motion of Mr. Sykes, the report was taken under consideration.

Mr. Sparrow moved to postpone consideration till to-morrow at 10½ A. M.

Mr. Cawthorn moved to lay the matter on the table; which did not prevail.

The motion of Mr. Sparrow prevailed.

BILLS CONTINUED.

By Mr. Welch: A bill to authorize the Commissioners of Haywood county to sell a portion of their poor house lands; which was read and placed on the calendar.

By Mr. McNeill: A bill to allow the Commissioners of Robeson county to adjust and pay off the county indebtedness. Read and referred to committee on finance.

By Mr. Rankin: A resolution asking information from the Directors of the Insane Asylum. Read and referred to committee on the Asylum.

Mr. McAfee, from the Committee on Education, reported favorably on bill to incorporate the Newbern Educational Association.

CALENDAR.

H. B. to incorporate the Fayetteville Building and Loan Association was taken up, and passed second reading.

The hour for the consideration of the Special Order being bill to provide for the collection of taxes by the State and the several Counties on property having arrived, it was taken up.

After being variously amended,

Mr. Cawthorn moved to refer the bill to a select joint committee; which motion the chair ruled out of order.

Mr. Cawthorn appealed from the ruling of the chair, and the chair was sustained.

Mr. Johnston, of Buncombe, called the ayes and noes on the passage of the bill.

The call was sustained, and the bill passed its third reading. Ayes 65; Noes 29.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Bryson, Buxton, Carson, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gullick, Guyther, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Mitchell, Nicholson, Phillips, Powell, Rankin, Reid, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Sykes, Tucker of Iredell, Waring, Withers, Womack, Woodhouse and York—65.

NOES—Messrs. Broadfoot, Brown, Bunn, Cawthorn, Collis, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Smith of Halifax, Tucker of Craven, Willis and Williamson—29.

Mr. Dunham moved to suspend the rules, and take up resolution of instructions to the Public Treasurer.

The motion did not prevail.

The motion of Mr. Dunham, of yesterday, to reconsider the vote by which bill to amend the charter of the Chatham Railroad Company was laid on the table was taken up, and, on motion of Mr. Justice, laid on the table.

Mr. Heaton moved to adjourn, on which Mr. Robinson called the ayes and noes, and the House refused to adjourn. Ayes 20; Noes 71.

AYES—Messrs. Crawford, Duckworth, Ellison, Hargrove, Heaton, Johnson of Edgecombe, Jones of Caldwell, Loftin

Luckey, Lyon, Mabson, Morgan of Wake, Mitchell, Page, Powell, Reavis, Sparrow, Tucker of Craven, Wilcox and Williamson—20.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Currie, Dickey, Drake, Dudley, Dunham, Fletcher, Furr, Gambrel, Garrison, Gullick, Guyther, Hampton, Hardy, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Martin, Marler, Maxwell, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Nicholson, Nisson, Phillips, Rankin, Reid, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Stewart, Tucker of Iredell, Waring, Welch, Withers, Willis, Womack, Woodhouse, Young of Yancey and York—71.

H. B. to be entitled an act to raise revenue was taken up, and, on motion of Mr. Ashe, postponed to to-morrow at 11 A. M.

H. R. of enquiry from the Board of Directors of Insane Asylum was, on motion, taken from the committee and placed on the calendar.

Resolution to raise a committee to investigate the authenticity of a letter read by George L. Mabson before the House, was, on motion, taken up and adopted.

Mr. Harris from select committee to investigate the condition of prisoners in the penitentiary, reported them in good condition and properly fed, &c.

H. R. concerning adjournment was taken up, and on motion of Mr. Sparrow, laid on the table.

H. B. to incorporate the village of Excelsior, in Burke County, was taken up, and the substitute reported by the committee was adopted.

Leave of absence was granted Mr. Settle for two days

On motion, the House adjourned.

FRIDAY, DECEMBER 15th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Jones, of Caldwell, from Committee on Claims reported a resolution in favor of R. S. Tucker.

Mr. Ashe, from the Judiciary Committee, reported favorably on bill to amend chapter 11 of Code of Civil Procedure.

RESOLUTIONS INTRODUCED.

By Mr. Standford: A resolution concerning a recess. Read and placed on the calendar.

By Mr. Shull: A resolution in favor of evening sessions. Read and placed on calendar.

BILLS INTRODUCED.

By Mr. Broadfoot: A bill to regulate the time of holding the municipal elections in the town of Fayetteville. Read and referred to committee on counties, towns, &c.

By Mr. Morgan, of Montgomery: A bill to authorize the Commissioners of Montgomery county to levy a special tax. Read and referred to committee on counties, towns, &c.

By Mr. Currie: a bill to authorize the Western Railroad Company to open the navigation of the waters of lower Little river. Read and referred to committee on internal improvements.

By Mr. Stewart: A bill to incorporate the Raleigh and Fayetteville Railroad Company. Read and referred to committee on internal improvements.

By Mr. Dickey: A bill to incorporate the Murphy and Tennessee Turnpike Company. Read and referred to committee on internal improvements.

By Mr. Wilcox: A bill to amend section 3, chapter 66, of the Public Laws of 1869–'70. Read and referred to committee on counties, towns, &c.

By Mr. Gambrel: A bill to legalize the acts of the County Court of Alleghany county at April term, 1861. Read and referred to the committee on the judiciary.

By Mr. Hardy: A bill to repeal chapter 90 of laws of 1870–'71. Read and referred to the judiciary committee.

CALENDAR.

The unfinished business being the consideration of the substitute to bill to incorporate the village of Excelsior, in Burke county, was taken up, and passed second and third readings, and ordered engrossed.

H. R. in regard to the public printing was taken up, on motion of Mr. Dunham, and adopted, and ordered engrossed.

Mr. McNeill, from the Committee on Propositions and Grievances, reported unfavorably on bill to regulate the too free use of intoxicating liquors.

The special order being resolution concerning certain charges against F. N. Strudwick and certain other officers and members of the General Assembly, was takan up.

Mr. Ashe, by consent, presented his minority report.

Mr. Cawthorn moved to lay the resolution on the table.

Under a call for the ayes and noes, the motion prevailed. Ayes 58; Noes 40.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Cawthorn, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey,

Maxwell, McCauley, McNeill, Mills, Mitchell, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Robinson, Shull, Smith of Anson, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse, Young of Yancey and York—58.

Noes—Messrs. Bean, Brown, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwin, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, McAfee, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Sykes, Tucker of Craven, Willis and Williamson—40.

Mr. Waring, from the Special Committee to investigate the official conduct of George W. Logan, Judge of the 9th judicial district, presented a report, which was read, recommending his impeachment.

Mr. Justice moved to lay the report on the table, and called the ayes and noes. The call was sustained, and the motion did not prevail. Ayes 41; noes 59.

Ayes—Messrs. Anderson, Bean, Brooks, Brown, Bryson, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwin, Guyther, Harris of Franklin, Hargrove, Hardy, Heaton, Johnston of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Marler, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reavis, Robbins, Tucker of Craven, Willis and Williamson—41.

Noes—Armstrong, Ashe, Atkinson, Broadfoot, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Hampton, Harris of Granville, Henderson, Houston, Hinnant, Jones of Caldwell, Joyner of Johnson, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Martin, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Robinson, Smith of Anson, Smith of Wayne, Standford, Stewart, Tucker of Ire-

dell, Waring, Welch, Withers, Womack, Woodhouse and Young of Yancey—51.

Mr. Waring moved to refer the report to the judiciary committee; which prevailed.

The second special order being bill to raise revenue was taken up, the question being on Mr. Waring's amendment to section 3, class 1, to strike out 12 and insert 5.

Mr. Rankin moved to amend by strking out 5 and insert 7.

Mr. Womack moved a substitute to the section, pending definite action.

A message was received from the Senate, transmitting for concurrence, a bill to amend the charter of the Western Railroad Company; which was read and referred to committee on internal improvements.

Leaves of absence were granted to Messrs. Heaton and Martin for one day, Stewart for four days, and Justice for one week from Wednesday next.

On motion of Mr. Standford, the House adjourned.

SATURDAY, December 16th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Tucker, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judiciary Committee, reported unfavorably on House bill to amend the Code of Civil Procedure, and on bill in relation to the registration of deeds; and favorably on Senate resolution in regard to the lease of the North Carolina Railroad; and on Senate bill to amend section 30, of the Code of Civil Procedure.

Mr. McNeill, from Committee on Propositions and Grievances, reported unfavorably on bill to prohibit the sale of spirituous liquors in townships when the people so determine; and favorably on Senate resolution in favor of Jno. M. Cloud, Judge of the 8th Judicial District.

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed, House bill to provide for the collection of taxes by the State and the several Counties on property, and a message was sent transmitting the same to the Senate for concurrence.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled

Resolution in regard to the public printing, and it was ratified.

Mr. Kelly, from the Committee on Internal improvements, reported favorably on H. B. to lay off and establish a turnpike in the counties of Camden and Currituck.

INTRODUCTION OF RESOLUTIONS.

By Mr. Marler: A resolution in favor of two sessions daily. Read and placed on the calendar.

By Mr. Goodwin: A resolution concerning a recess. Read and placed on the calendar.

By Mr. Welch: A resolution concerning adjournment. Read and placed on the calendar.

By Mr. Justice: A resolution to repeal a resolution in favor of James H. Moore, contractor for the State Printing. Read and referred to committee on printing.

By Mr. Collis: A resolution regarding adjournment. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Sparrow: A bill to encourage the working on roads. Read and referred to committee on counties, towns, &c.

By Mr. Nisson: A bill with a petition to amend the charter

of the town of Salem. Read and referred to the committee on propositions and grievances.

By Mr. Broadfoot: A bill to incorporate a Literary and Dramatic Association in the town of Fayetteville. Read and referred to the committee on corporations.

By Mr. McNeill: A bill to repeal chapter 104, laws of 1868–'69. Read and placed on the calendar.

By Mr. Duckworth: A bill in relation to indictments for assault and battery. Read and referred to committee on judiciary.

By Mr. Wilcox: A bill to change the time for holding the Superior Courts in the 10th and 11th judicial districts, and to regulate the same. Read and referred to the judiciary committee.

By Mr. Loftin, by consent: A resolution instructing the Attorney General to bring suit on the bond of James H. Moore. Read and placed on the calendar.

CALENDAR.

On motion of Mr. Welch, consideration of the unfinished business was postponed, and his resolution concerning adjournment was taken up.

Mr. Mitchell offered a substitute.

Mr. Marler moved to amend by striking out "26th" and insert "27th."

Neither of which prevailed, and, under a call for the ayes and noes, the resolution was adopted. Ayes 51; Noes 47.

AYES—Messrs. Anderson, Armstrong, Ashe, Bryson, Clinard, Collis, Crawford, Currie, Dickey, Duckworth, Dunham, Garrison, Gore, Gullick, Guyther, Harris of Franklin, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, Mills, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne,

Sparrow, Standford, Tucker of Iredell, Waring, Welch, Withers, Wilcox and Womack—51.

Noes—Messrs. Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bunn, Buxton, Carson, Chamberlain, Copeland, Dudley, Ellison, Faulkner, Fletcher, Gatling, Goodwin, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Pitt, Justice, Kincaid, Loftin, Lyon, Martin, Mabson, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reavis, Robbins, Sykes, Tucker of Craven, Willis, Woodhouse, Young of Yancey and York—47.

The unfinished business, Act to raise Revenue, was taken up, and the motion being the adoption of the amendment to the amendment to strike out "5" and insert "7." It did not prevail.

Mr. Waring called the ayes and noes on the amendment.

The call was sustained, and the amendment was not adopted. Ayes 32; Noes 60.

Ayes—Messrs. Anderson, Atwater, Brown, Bryson, Carson, Dickey, Duckworth, Gambrel, Gullick, Hargrove, Hinnant, Johnston of Buncombe, Joyner of Johnston, Joyner of Pitt, Kincaid, Lassiter, Lyon, Marler, Maxwell, Mills, Mitchell, Powell, Rankin, Reid, Regan, Shull, Smith of Wayne, Standford, Waring, Wilcox and Woodhouse—32.

Noes—Messrs. Armstrong, Ashe, Bean, Brooks, Broadfoot, Bunn, Buxton, Chamberlain, Clinard, Collis, Copeland, Crawford, Dudley, Dunham, Ellison, Faulkner, Fisher, Fletcher, Furr, Garrison, Gatling, Goodwin, Gore, Guyther, Harris of Guilford, Hardy, Henderson, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Jordan, Justice, Kelley of Davie, Kelly of Moore, Kelsey, Loftin, Lucas, Luckey, Martin, Mabson, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nicholson, Nisson, Page, Phillips, Paylor, Reavis, Robbins, Smith of Anson, Sparrow, Sykes, Tucker of Iredell, Tucker of Craven, Willis and Womack—60.

The question recurring on the substitute of Mr. Womack to the section, it was not adopted.

Mr. Sykes moved to add a special tax of one-tenth of one per cent. shall be levied on all taxable property of the State for purpose of Public Schools. Ruled out of order for the present.

Mr. Anderson moved to amend the section by striking out 12 and inserting 9, which did not prevail.

Mr. Robinson, to strike out 12 and insert 10, and called the ayes and noes on its adoption, the call was sustained, and the motion did not prevail. Ayes 49; Noes 52.

Ayes—Messrs. Anderson, Atwater, Broadfoot, Brown, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gullick, Hampton, Hargrove, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincaid, Lassiter, Lucas, Marler, Maxwell, McCauley, McNeill, Mills, Mitchell, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Wayne, Standford, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancy and York—49.

Noes—Messrs. Armstrong, Ashe, Bean, Brooks, Bunn, Buxton, Chamberlain, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwin, Gore, Guyther, Harris of Guilford, Hardy, Henderson, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelly of Moore, Loftin, Luckey, Lyon, Martin, Mabson, McAfee, McAllister, Morris, Morgan of Wake, Newsome, Nicholson, Nisson, Page, Phillips, Paylor, Reavis, Robbins, Smith of Anson, Sparrow, Sykes, Tucker of Iredell, Tucker of Craven and Willis—52.

Mr. Ashe then called the previous question, which was sustained, and the section was adopted.

The amendment of Mr. Sykes being next in order, Mr. Chamberlain moved to amend by inserting and one dollar on the poll; which was accepted, and the amendment was not adopted.

Mr. Loftin, to amend by adding a section to lay a special tax of four cents on the hundred dollars worth of property for purposes of Public Schools.

Mr. Page, to amend section by striking out four and inserting six; which did not prevail.

Mr. Justice called the ayes and noes, on the adoption of the section.

The call was not sustained and the section was not adopted.

Mr. Mills, to add a section requiring the levy of one and one-eleventh per cent. on all taxable property for payment of the recognized portion of the public debt.

Mr. Justice called the ayes and noes.

The call was sustained, and the section was not adopted. Ayes 14; Noes 77.

AYES—Messrs. Ashe, Broadfoot, Crawford, Currie, Fisher, Hampton, Johnston of Buncombe, Kelly of Moore, Lassiter, McAllister, McNeill, Mills, Page and Shull—14.

NOES—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Brown, Bryson, Bunn, Buxton, Carson, Clinard, Copeland, Dickey, Dudley, Duckworth, Dunham, Ellison, Faulkner, Gambrel, Garrison, Gatling, Goodwin, Gullick, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hinnant, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincaid, Loftin, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McCauley, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsome, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Smith of Anson, Smith of Wayne, Standford, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and Young of Wake—77.

Class 2, sections 1 and 2 were read and adopted.

SCHEDULE B.

Sections 1, 2 and 3 were read and adopted.

Section 4 was read.

Mr. Standford moved to amend by striking out forty and insert twenty; which did not prevail.

Mr. Sykes moved a substitute; which was not adopted, and the section was adopted.

Sections 5, 6 and 7 were read and adopted.

Section 8 was read.

Mr. Loftin moved to strike out 20 and insert 10; which did not prevail, and the section was adopted.

Section 9 was read and adopted.

Section 10 was read.

Mr Marler moved to add, "and fifty cents per gallon on all liquors imported," which was not adopted; and the section was then adopted.

Section 11 was read and adopted.

Mr. Justice moved to strike out section 12.

Mr. York, to amend the section by striking out 2½ and in- 1, which did not prevail; and motion to strike out did prevail.

Mr. York offering his amendment, supposing motion to strike out out of order.

Pending further consideration, Mr. McCauley introduced a bill in relation to fees of Justices of Peace. Read and referred to committee on salaries and fees.

Also a bill concerning administrators and executors. Read and referred to the judiciary committee.

Mr. Ashe: A bill to define and limit the rights and powers *femes covert* with regard to contracts. Read and referred to the judiciary committee.

Mr. Page: A bill to amend the charter of the town of Edenton. Read and placed on the calendar.

Messages were received from the Senate transmitting for concurrence:

S. B. to change the time for holding the Superior Courts in

the several counties composing the 3d Judicial District. Read and referred to the judiciary committee.

S. B. in relation to talis jurors in Granville County. Read and referred to the judiciary committee.

S. B. to change the time for holding the Superior Courts in the counties of Granville and Nash. Read and referred to the judiciary committee.

And announcing concurrence of the Senate in House resolution to adjourn for a recess.

On motion, the House adjourned.

MONDAY, DECEMBER 18th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr Atkinson, of the City.

The Journal of the last two days proceedings was read and approved.

REPORTS OF COMMITTEES.

Mr. Anderson, from Committee on Counties and Towns, reported favorably on House bill to regulate the time for holding the municipal elections in the town of Fayetteville;

H. B. in relation to Commissioners;

H. B. to authorize the Commissioners of Brunswick county to levy a special tax;

H. B. to amend section 2, chapter 66, public laws of 1869 and 1870; and on

H. B. to amend the charter of the town of Edenton.

Mr. Ashe, from the Committee on Finrnce, reported an amendment to Senate bill to authorize the Commissioners of Lincoln county to issue bonds;

Favorably on bill to repeal certain portions of the laws of

1869–'70, and asking relief from further consideration of memorial of certain citizens concerning reduction of taxes.

INTRODUCTION OF BILLS.

By Mr. Broadfoot: A bill to incorporate the Brothers Manufacturing Company of Cumberland county. Read and referred to committee on corporations.

By Mr. Standford: A bill to amend an act in relation to salaries and fees of county officers and Supreme Court Clerk. Read and referred to committee on salaries and fees.

By Mr. Justice: A bill fixing the time for sheriffs and tax collectors to settle with County Treasurers. Read and placed on the calendar.

By Mr. Chamberlain: A bill to incorporate the Warrenton and Shocco Turnpike Company. Read and placed on calendar.

Mr. Drake was granted leave of absence on account of sickness.

CALENDAR.

The unfinished business being bill to raise revenue was taken up.

The question being on the adoption of section 13, Schedule B, it was adopted.

Section 14 was read.

Mr. Harris, of Guilford, moved to strike out "gross receipts" and insert "income;" which did not prevail.

Mr. Loftin moved to strike out the words "and as private boarding houses;" which did not prevail, and the section was adopted.

Sections 15, 16, 17 and 18 were read and adopted.

Section 19 was read, and amended by striking out 2½ and inserting 5; and, as amended, adopted.

Sections following in the Schedule were read, and adopted without comment.

SCHEDULE C.

The sections of this Schedule were read and adopted *seriatim* without amendment.

The question then being on the passage of the bill as a whole, various minor amendments were offered and accepted.

Mr. Withers moved to strike section 2, class 1.

Mr. Standford called the ayes and noes.

The call was sustained, and the section was stricken out. Ayes 64; Noes 27.

AYES—Messrs. Anderson, Ashe, Atwater, Atkinson, Bean, Bryson, Carson, Crawford, Dickey, Duckworth, Dunham, Fletcher, Furr, Gambrel, Garrison, Goodwin, Gore, Gullick, Guyther, Hampton, Hargrove, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelsey, Kincaid, Lassiter, Loftin, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Wake, Mills, Mitchell, Newsome, Nicholson, Nisson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Tucker of Iredell, Waring, Welch, Withers and York—64.

NOES—Messrs. Armstrong, Broadfoot, Bunn, Buxton, Chamberlain, Collis, Copeland, Currie, Dudley, Faulkner, Fisher, Harris of Guilford, Hardy, Johnson of Edgecombe, Jones of Northampton, Kelly of Moore, Morris, Morgan of Montgomery, Page, Phillips, Robbins, Smith of Wayne, Sparrow, Standford, Sykes, Wilcox and Womack—27.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled:

Resolution concerning payment of certain witnesses and a messenger; and

An act to incorporate the Beaufort Peabody Educational Association; and they were ratified.

Mr. Clinard, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to incorporate the village of Excelsior, in Burke

County; and a message was sent transmitting it to the Senate for concurrence.

Mr. Jones, of Caldwell, then offered a substitute for section 6, schedule C; which was not adopted.

By the same: A motion to strike out in the printed bill, class 1, section 1, line 1, "20," and insert "17," and called the ayes and noes on its adoption.

The call was sustained, and the motion prevailed. Ayes 91; Noes none.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Duckworth, Dunham, Faulker, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Lyon, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsome, Nicholson, Nisson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Sykes, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Woodhouse and York—91.

NOES—None.

By Mr. Ashe: To strike out in section 2, line 5, "84," and insert "75;" which motion prevailed.

Mr. McAfee moved to reconsider the vote by which the House refused to strike out in line 1, section 3, class 1, "12," and insert "10."

On which Mr. Sparrow called the ayes and noes, and the motion prevailed. Ayes 59; Noes 30.

AYES—Messrs. Anderson, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Carson, Crawford, Currie, Dickey, Duckworth,

Dunham, Furr, Gambrel, Gore, Gullick, Hampton, Hargrove, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Kelly of Davie, Kelsey, Kincaid, Lassiter, Lucas, Lyon, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Wayne, Standford, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Woodhouse, Young of Yancey and York—59.

NOES—Messrs. Armstrong, Bean, Brooks, Bunn, Buxton, Chamberlain, Collis, Copeland, Dudley, Faulkner, Fisher, Fletcher, Garrison, Guyther, Harris of Guilford, Hardy, Johnson of Edgecombe, Jones of Northampton, Kelly of Moore, Loftin, McAllister, Morris, Morgan of Wake, Newsome, Nisson, Page, Phillips, Robbins, Sparrow and Sykes—30.

On the motion to strike out and insert, Mr. Robinson called the ayes and noes, and the motion prevailed. Ayes 57; Noes 35.

AYES—Messrs. Anderson, Armstrong, Atwater, Atkinson, Broadfoot, Bryson, Carson, Clinard, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel Gatling, Gore, Gullick, Hampton, Hargrove, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincaid, Lassiter, Lucas, Lyon, Marler, Maxwell, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Woodhouse, Young of Yancey, and York—57.

NOES—Messrs. Ashe, Bean, Brooks, Bunn, Buxton, Chamberlain, Copeland, Crawford, Dudley, Faulkner, Fisher, Fletcher, Garrison, Goodwin, Guyther, Hardy, Henderson, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Kelly of Moore, Loftin, Martin, McAfee, McAllister, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Phillips, Robbins and Sparrow—35.

Mr. Sykes moved to add a section to levy a special tax of

5 per cent. on all property for the purposes of public schools, and called the ayes and noes on its adoption.

The call was sustained, and the section was not adopted. Ayes 24; Noes 63.

AYES—Messrs. Bunn, Buxton, Currie, Dudley, Faulkner, Fisher, Garrison, Gatling, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Norhampton, Justice, Loftin, Lyon, Morris, Morgan of Wake, Newsome, Page, Phillips, Reavis, Robbins and Sykes—24.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Broadfoot, Bryson, Carson, Copeland, Crawford, Dickey, Duckworth, Dunham, Furr, Gambrel, Goodwin, Gore, Gullick, Guyther, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Woodhouse, Young of Yancey and York—63.

Mr. McAllister moved to strike out in line 1, section 26, from the word "every" to "who shall sell," and insert "person;" and the motion prevailed.

Mr. Ashe moved to reconsider the vote adopting the amendment, which prevailed.

The question recurring on the adoption of the amendment, it failed.

Mr. Ashe moved to strike out in the section the word "whether," and insert "drummer or travelling agent, or any person who shall sell any spirituous liquors, goods, &c."

The motion prevailed.

Mr. Reid, by consent, introduced a resolution as follows:

"*Resolved*, That George W. Logan, Judge of the Ninth Judicial District, be impeached for mental incompetence to discharge the duties of his office."

By order of the chair, the following announcement was made:

House branch of Joint Committee to examine the accounts of the contractor for the public printing—Messrs. Dunham, Robinson and Loftin.

Committee on the official conduct of George L. Mabson, one of the Representatives from New Hanover County—Messrs. Sparrow, Phillips and Armstrong.

Mr. Johnston, of Buncombe, was relieved from duty on Committee on Immigration, and Mr. Welch substituted.

The bill to raise revenue then passed its second reading. Ayes 60; Noes 29.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Chamberlain, Clinard, Crawford, Dickey, Duckworth, Dunham, Furr, Gambrel, Gullick, Guyther, Hampton, Harris of Guilford, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Marler, Maxwell, McAfee, McAllister, McCauley, Morris, Mills, Mitchell, Nicholson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Sykes, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Woodhouse and Young of Yancey—60.

NOES—Messrs. Bean, Brooks, Bunn, Buxton, Collis, Copeland, Currie, Dudley, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Lassiter, Loftin, Lucas, Lyon, Martin, Newsome, Nisson, Reavis, Robbins and York—29.

On motion of Mr. Hargrove, bill in favor of James I. Moore, Sheriff of Granville, was taken up.

Mr. Sparrow moved to amend, by adding the name of J. J. Satchwell, Sheriff of Beaufort. Adopted.

Mr. Guyther, the name of John M. Bateman, Sheriff of Washington. Adopted.

Mr. Justice moved a substitute, which was withdrawn by

consent, and the bill passed second and third readings, and ordered engrossed.

H. B. to regulate the time for holding the municipal elections in the town of Fayetteville was taken up, passed second and third readings, and ordered engrossed.

A message was received from the Senate transmitting S. R. to print certain portions of the census report for the use of the General Assembly; which was, on motion of Mr. Dunham, considered and adopted.

Mr. Carson, by consent, introduced a resolution regarding a recess; which was, on motion, taken under consideration.

Mr. Jones, of Caldwell, moved to adjourned.

Mr. Chamberlain called the ayes and noes.

The call was sustained, and the House refused to adjourn. Ayes 19; Noes 62.

AYES—Messrs. Anderson, Duckworth, Fisher, Houston, Jones of Caldwell, Jones of Northampton, Jordan, Lucas, McAfee, McAllister, McCauley, Morgan of Wake, Mitchell, Phillips, Powell, Smith of Wayne, Sparrow, Sykes and Withers—19.

NOES—Messrs. Armstrong, Ashe, Bean, Brooks, Broadfoot, Bryson, Bunn, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Dickey, Dudley, Dunham, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Justice, Kelly of Moore, Kelsey, Lassiter, Loftin, Marler, Maxwell, McNeill, Morris, Morgan of Montgomery, Mills, Newsome, Nicholson, Nisson, Paylor, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Smith of Anson, Stewart, Tucker of Iredell, Waring, Woodhouse, Young of Yancey, and York—62.

Mr. Currie moved to lay the resolution on the table.

Mr. Chamberlain called the ayes and noes, and the motion failed. Ayes 24; Noes 55.

AYES—Messrs. Ashe, Atwater, Bryson, Clinard, Currie, Dickey, Dunham, Fisher, Gore, Johnston of Buncombe, Jones

of Caldwell, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Maxwell, McAfee, McAllister, Mitchell, Robinson, Welch, Withers and Wilcox—24.

NOES—Messrs. Bean, Brooks, Broadfoot, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Crawford, Dudley, Faulkner, Fletcher, Furr, Garrison, Gatling, Goodwin, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Johnson of Edgecombe, Johns, Jones of Northampton, Kincaid, Loftin, Lyon, Marler, McNeill, Morris, Morgan of Wake, Morgan of Montgomery, Mills, Newsome, Nicholson, Nisson, Page, Phillips, Paylor, Reavis, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Wayne, Sykes, Tucker of Iredell, Waring, Woodhouse and York—55.

Mr. Robinson offered a proviso.

Mr. Carson called the previous question.

The call was sustained, and

Mr. Robinson called the ayes and noes on his proviso, and it was adopted. Ayes 78; Noes none.

AYES—Messrs. Ashe, Atwater, Bean, Brooks, Broadfoot, Bryson, Bunn, Buxton, Chamberlain, Collis, Copeland, Currie, Dickey, Dudley, Duckworth, Dunham, Faulkner, Fisher, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Lyon, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Nicholson, Nisson, Paylor, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Smith of Anson, Smith of Wayne, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse and York of Yancey—78.

NOES—None.

Mr. Welch called the ayes and noes on the adoption of the resolution.

The call was sustained, and the resolution adopted. Ayes 60; Noes 25.

Ayes—Messrs. Bean, Brooks, Broadfoot, Bunn, Buxton, Carson, Chamberlain, Collis, Copeland, Crawford, Dickey, Dudley, Faulkner, Fletcher, Furr, Gambrel, Gatling, Goodwin, Gore, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Kincaid, Loftin, Lyon, Martin, Marler, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsome, Nicholson, Nisson, Page, Phillips, Paylor, Rankin, Reavis, Reid, Regan, Robbins, Scott, Smith of Anson, Smith of Wayne, Sykes, Tucker of Iredell, Waring, Woodhouse, Young of Yancey and York—60.

Noes—Messrs. Armstrong, Ashe, Bryson, Currie, Duckworth, Dunham, Fisher, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Maxwell, McAllister, Robinson, Shull, Welch, Withers, Wilcox and Womack—25.

Mr. Justice moved to reconsider the vote by which the resolution was adopted, and to lay that motion on the table.

On motion of Mr. Jones, of Caldwell, the House adjourned.

TUESDAY, December 19th, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Kelley, from the Committee on Internal Improvements, reported favorably on Senate bill to consolidate the Planters'

Railroad Company with the Wilmington and Onslow Railroad Company; and on

H. B. to incorporate the Charlotte and Taylorsville Railroad Company; and on

H. B. to incorporate the Catawba and Lincoln Mining and Manufacturing Company of North Carolina.

Mr. Reid, from the Committee on Finance, reported favorably on bill to require certain officers to submit estimates of necessary expenses, &c.

Mr. Ashe, from the same committee, reported unfavorably on resolution in favor of Russell L. Jones; and on

Resolution in favor of W. P. Williams.

Mr. Standford, from the same committee, reported unfavorably on bill to allow Solomon Blevins to collect arrears of taxes for 1869.

Mr. McNeill, from Committee on Propositions and Grievances, reported unfavorably on resolution to consolidate index of land grants.

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to regulate the time for holding municipal elections in the town of Fayetteville; and a message was sent transmitting it to the Senate for concurrence.

INTRODUCTION OF BILLS.

By Mr. Shull: A bill to incorporate the town of Boon. Read and referred to committee on counties, towns, &c.

By Mr. Standford: A bill, with a petition to prevent the sale of intoxicating liquors within the corporate limits of Magnolia, Duplin County. Read and referred to committee on propositions and grievances.

By Mr. Waring: A bill to require sheriffs to advertise land sales in a newspaper in the county. Read and referred to committee on propositions and grievances.

By Mr. Dickey: A bill to incorporate the Western N. C.

Institute of Agriculture, Mining and Practical Arts and Sciences. Read and referred to committee on corporations.

By Mr. Houston: A bill to amend the charter of Hickory Tavern. Read and referred to committee on counties, towns, &c.

By Mr. Gambrel: A bill to authorize the Commissioners of Alleghany County to levy a special tax. Read and referred to committee on finance.

By Mr. Broadfoot: A bill to amend an act to incorporate Beaver Creek Manufacturing Company of Cumberland County. Read and referred to committee on corporations.

By Mr. McCauley: A bill in relation to homestead and personal property exemption. Read and referred to the committee on judiciary.

By the same: A bill for the relief of suitors, jurors and witnesses. Read and referred to judiciary committee.

By the same: A bill for the prevention of fraud. Read and referred to the judiciary committee.

By Mr. McNeill: A bill to amend the charter of the town of Rockingham. Read and referred to committee on corporations.

CALENDAR.

The unfinished business was taken up, being motion to lay on the table motion to reconsider; which prevailed.

On motion of Mr. Rankin, resolution of enquiry to boards of directors was taken up.

Pending action, Mr. Withers made a majority report from the Judiciary Committee, asking discharge from further consideration of resolution to impeach George W. Logan, Judge of the 9th Judicial District; and that the resolution, with accompanying papers, be returned to the House.

Mr. Sparrow, from the same Committee, presented a minority report recommending his impeachment.

The resolution before the House was amended and adopted.

Mr. Sparrow, by consent, introduced a bill to prevent fraudulent and illicit trading. Read and placed on the calendar.

H. B. on salaries and fees of county officers was, on motion of Mr. Joyner, of Johnston, taken up, and passed second reading; and was, on motion, re-committed to committee on salaries and fees.

On motion, resolution to impeach George W. Logan, Judge, was taken up.

Mr. Sparrow moved to make it special order for to-morrow at 11 A. M.

Mr. Anderson for January 2d, 1872.

Pending action, Mr. Loftin introduced a resolution to appoint a commission to enquire into the mental condition of Judge Logan; which was placed on the calendar.

The motion of Mr. Anderson did not prevail.

Mr. Withers moved to amend the motion of Mr. Sparrow by striking out "to-morrow" and insert "January 3d, 1872;" which was adopted, and the resolution was postponed.

On motion of Mr. Ashe, bill to raise revenue was taken up on third reading.

Mr. Loftin moved to insert "a special tax of four cents on the hundred dollars valuation of property for the support of public schools."

Mr. Ashe called the previous question; which was ordered.

Mr. Loftin called the ayes and noes on his amendment, and it was lost. Ayes 32; Noes 68.

AYES—Messrs. Brooks, Bryant of Halifax, Bunn, Buxton, Collis, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwin, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven and Willis—32.

NOES—Messrs. Anderson, Armstrong, Atwater, Broadfoot, Brown, Bryson, Carson, Clinard, Copeland, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore,

Gullick, Gregory, Hampton, Harris of Franklin, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—68.

And the bill passed its third reading. Ayes 62; Noes 36.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Guyther, Hampton, Harris of Franklin, Henderson, Houston, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—62.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorn, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwin, Hargrove, Hardy, Hinnant, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven and Willis—36.

Mr. Houston moved to re-consider the vote by which the resolution to impeach Judge G. W. Logan was postponed.

Mr. Dudley moved to lay the motion on the table, and called the ayes and noes, and the motion to table did not prevail. Ayes 46; Noes 47.

Ayes—Messrs. Bean, Brown, Bryant of Halifax, Bryson, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Garrison, Gatling, Goodwin, Guyther, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Jordan, Justice, Loftin, Lyon, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Paylor, Powell, Reavis, Robbins, Shull, Smith of Anson, Smith of Halifax, Tucker of Craven, Welch, Withers and Willis—46.

Noes—Mr. Speaker, Messrs. Armstrong, Broadfoot, Carson, Chamberlain, Clinard, Crawford, Currie, Dunham, Gambrel, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Lucky, Martin, Marler, Maxwell, McNeill, Morris, Mills, Mitchell, Nicholson, Reid, Regan, Scott, Smith of Wayne, Sparrow, Standford, Strudwick, Tucker of Iredell, Waring, Wilcox, Woodhouse and York—47.

The ayes and noes were called on the motion to re-consider, and it did not prevail. Ayes 48; Noes 50.

Ayes—Messrs. Anderson, Ashe, Atwater, Broadfoot Clinard, Crawford, Currie, Darden, Dickey, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McNeill, Mills, Mitchell, Reid, Regan, Robinson, Scott, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Wilcox, Young of Yancy and York—48.

Noes—Messrs. Armstrong, Bean, Brooks, Brown, Bryant of Halifax, Bryson, Bunn, Cawthorn, Chamberlain, Collis, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Jordan, Justice, Kelsey, Loftin, Lyon, Mabson, McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Newsome,

Nisson, Page, Paylor, Powell, Rankin, Reavis, Robbins, Smith of Anson, Sykes, Tucker of Craven, Welch, Withers, Willis and Womack—50.

H. B. to authorize the Trustees of Mt. Gilead meeting and school house to sell their property was taken up, and passed second and third readings, and engrossed.

S. B. to consolidate the Planters Railroad Company and the Wilmington and Onslow Railroad Company was taken up, and passed second and third readings, and ordered enrolled.

H. B. to establish and lay out a Turnpike in the counties of Camdin and Currituck was taken up, and passed second and third readings, and ordered engrossed.

H. B. to incorporate the Fayetteville Building and Loan Association on third reading was taken up, and passed and ordered engrossed.

H. B. to repeal certain portions of Laws of 1869–'70 was taken up, and passed second reading.

H. B. to incorporate the town Commons of the town of Edenton was taken up, and, on motion, referred to committee on counties and towns.

H. B. to amend chapter eleven of Code of Civil Procedure was taken up, passed second and third readings, and ordered engrossed.

By consent, Mr. Fisher introduced a resolution in favor of the sheriff of Bladen county, placed on the calendar.

A message was received from the Senate transmitting for concurrence Senate bill for exchanging stocks of the State for bonds with which such stocks were obtained, and for other purposes. Read and referred to the committee on finance.

Also a message from His Excellency the Governor, transmitting the report of the Board of Public Charities; which was sent to the Senate with a proposition to print.

H. B. to incorporate the Charlotte and Taylorsville Railroad Company was taken up, and passed second and third readings, and ordered engrossed.

Mr. Jones, of Caldwell, by consent, introduced a resolution

regarding the suspension of the rules : which was read and placed on the calendar.

Mr. Ashe, by consent, reported from the Finance Committee, a substitute to resolution of instructions to the Public Treasurer, and introduced

A bill to amend an act concerning the city of Wilmington ; which was read and referred to committee on judiciary.

H. R. in favor of the Sheriff of Bladen was, on motion, taken up, and passed second and third readings, and ordered engrossed.

H. B. to repeal certain portions of section 4, chapter 234, of laws of 1869–'70, on third reading, was taken up, passed, and ordered engrossed.

H. B. to incorporate the Great Falls Manufacturing Company of Wake County was taken up, amended by striking out "Great Falls," and insert "Falls of Neuse."

The report of the committee recommending the striking out of section 4, relating to manufacture and sale of liquors, did not prevail.

The words "make or" were, on motion, stricken from the 4th section, and the bill passed second and third readings, and was ordered engrossed.

Mr. Dunham, from the Judiciary Committee, reported amendments to Senate bill to change the time for holding the Superior Courts in the 3rd Judicial District.

S. B. to authorize the Commissioners of Bertie County to issue bonds, was taken up on third reading, and passed. Ayes 52 ; Noes 25, and ordered enrolled.

Ayes—Messrs. Ashe, Bean, Brooks, Bryant of Halifax, Bunn, Buxton, Cawthorn, Collis, Copeland, Dickey, Duckworth, Ellison, Faulkner, Fisher, Gambrel, Garrison, Gatling, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Kelly of Moore, Kelsey, Lyon, Morris Morgan of Wake, Mitchell, Newsome, Nisson, Page, Phillips, Paylor, Powell, Rankin, Reid, Robbins, Robinson,

Shull, Smith of Halifax, Sparrow, Standford, Strudwick, Sykes, Tucker of Iredell, Willis, Womack and York—52.

Noes—Messrs. Armstrong, Brown, Carson, Chamberlain, Dunham, Furr, Gore, Gullick, Hampton, Henderson, Hinnant, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kincaid, Lassiter, Lucas, Martin, Marler, McNeill, Nicholson, Regan, Smith of Wayne and Woodhouse—25.

Resolution of instructions to the Committee on the Insane Asylum, regarding the purchase of the Charlotte Military Institute was taken up, and failed to pass for want of a quorum.

Mr. Standford renewed the motion, and called the ayes and noes.

The call was sustained and the resolution was adopted. Ayes 42; Noes 34.

Ayes—Messrs. Anderson, Atwater, Brooks, Broadfoot, Cawthorn, Carson, Crawford, Currie, Dunham, Fletcher, Gambrel, Gore, Gullick, Houston, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kincaid, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Nicholson, Phillips, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Standford, Strudwick, Tucker of Iredell, Waring and Womack—42.

Noes—Messrs. Armstrong, Bryant of Halifax, Bryson, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Garrison, Gatling, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Hinnant, Johnson of Edgecombe, Jones of Northampton, Jordan, Kelsey, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Smith of Halifax, Sparrow, Sykes, Tucker of Craven, Willis and Woodhouse—34.

Mr. Scott, by consent, introduced a resoution in favor of the Public Library; which was read, and placed on the calendar.

Mr. Crawford, from the Committee on Enrolled Bills, reported as correctly engrossed, resolution regarding a recess; and a message was sent transmitting the same to the Senate, and asking concurrence.

On motion, the House adjourned.

WEDNESDAY, DECEMBER 20TH, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on bill to amend an act to incorporate the Beaver Creek Manufacturing Company;

On bill to incorporate the Brothers Manufacturing Company of Cumberland County;

On bill to incorporate the Victor Fire Company, No. 1, of the city of Raleigh;

On bill to incorporate the Board of Trade of the City of Raleigh, and

On bill to incorporate a Literary and Dramatic Association in the town of Fayetteville.

Mr. Brown, from the Committee on Agriculture, reported unfavorably on bill to allow counties to regulate the running at large of stock.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to authorize the trustees of Mt. Gilead meeting and school house, of Haywood county, to sell their property;

H. B. in favor of James I. Moore, sheriff of Granville county;

H. B. to amend chapter 11 of Code of Civil Procedure;

H. B. to repeal certain portions of sections 4, chapter 234, laws of 1869-'70, and

H. R. in favor of the sheriff of Bladen county.

A message was sent transmitting the same to the Senate for concurrence.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported favorably on bill to provide for the laying off and construction of a public highway in the counties of Burke and Mitchell;

On bill to incorporate the town of Boon, and

On bill to repeal section 11, chapter 185, acts of 1868–'69.

Mr. McNeill presented a petition from citizens against the sale of spirituous liquors near St. Paul's church in Robeson county; which was read and referred to committee on corporations.

BILLS INTRODUCED.

By Mr. Smith, of Wayne: A bill in favor of Michael Wood, tax collector of Goldsboro' township. Read and referred to committee on counties, towns, &c.

By Mr. Duckworth: A bill in regard to the killing of deer in Transylvania county. Read and referred to the committee on propositions and grievances.

By Mr. Standford: A bill to re-enact an act to authorize sheriffs and tax collectors to collect arrears of taxes.

CALENDAR.

H. B. to amend chapter 53, private laws of 1860–'61, was taken up, and passed second and third readings, and ordered engrossed.

S. B. to amend section 1, chapter 273, laws of 1868–'69, was considered, and passed second and third readings, and ordered enrolled.

H. B. to amend an act to authorize the Commissioners of Cleveland County to issue bonds, was taken up and passed third reading. Ayes 65; Noes 4.

AYES—Messrs. Anderson, Armstrong, Atwater, Atkinson, Bean, Brooks, Bryant of Halifax, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Crawford, Dickey, Duck-

worth, Ellison, Faulkner, Fisher, Gambrel, Garrison, Goodwin, Gore, Gullick, Grayson, Guyther, Harris of Guilford, Hinnant, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Lyon, Maxwell, McAfee, McAllister, Morgan of Montgomery, Morgan of Wake, Nicholson, Nisson, Paylor, Powell, Reavis, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Standford, Tucker of Caldwell, Welch, Willis, Womack and York—65.

NOES—Messrs. Brown, Dudley, Marler and Wilcox—5.

S. B. to incorporate the Border Railroad Company was taken up, passed second and third readings, and ordered enrolled.

H. B. to repeal chapter 104, laws of 1868–'69, was taken up, passed second and third readings, and ordered engrossed.

Mr. Sparrow, from the Judiciary Committee, reported favorably on Senate bill to re-enact chapter 102, section 6, of the Revised Code. Unfavorably on

H. B. to amend chapter 237, section 5, laws of 1870–'71; on

H. B. in relation to indictments for assault and battery; and on

H. B. concerning administrators and executors.

Mr. Ashe, from the same committee, reported favorably on bill to legalize the acts of the County Court of Alleghany County at April term 1868; and unfavorably on

Bill to repeal chapter 90, of laws of 1870–'71.

H. B. to incorporate the town of Dallas was taken up, the amendments reported by the committee were adopted, and the bill passed second and third readings, and ordered engrossed.

Mr. Gregory, by consent, introduced a bill to change the time for holding the Superior Courts in the counties of Halifax and Nash. Read and referred to judiciary committee.

H. B. to incorporate the Warrenton and Shocco Turnpike Company was taken up, and passed second and third readings, and ordered engrossed.

S. R. regarding the lease of the North Carolina Railroad was taken up, amended on motion of Mr. Johnston, of Buncombe, and passed second reading.

H. B. to allow the Commissioners of Haywood county to sell a portion of the poorhouse lands was taken up, and passed second and third readings, and ordered engrossed.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled, an act to consolidate the Planters' Railroad Company; and the Wilmington and Onslow Railroad Company; and

An act to authorize the Commissioners of Bertie county to issue bonds; and they were ratified.

Mr. Withers, from the Judiciary Committee, reported unfavorably on resolution of instructions to the Judiciary Committee concerning a usury law.

Mr. Robinson, by consent, introduced a petition from citizens of Macon against a change of the county line; which was read, and referred to the committee on counties, towns, &c.

H. B. to abolish the office of State Geologist was taken up, and made special order for January 4th, at 12 m.

H. B. to prevent the felling of trees in New river in Ashe county was taken up on third reading, and passed and ordered engrossed.

S. B. for the general relief of sheriffs and tax collectors was taken up, and passed second and third readings and ordered enrolled.

S. B. supplementary and amendatory of an act to charter the city of Newbern and Newbern Academy was taken up.

The ayes and noes were called on its passage, and it failed to pass second reading. Ayes 27; Noes 53.

Ayes—Messrs. Brown, Bryant of Halifax, Bunn, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fisher, Garrison, Goodwin, Guyther, Hargrove, Johnson of Edgecombe, Jones of Northampton, Loftin, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven and Willis—27.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Carson, Chamberlain, Clinard, Crawford, Currie, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Hinnant, Johnson of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCanley, Mills, Mitchell, Nicholson, Paylor, Rankin, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Tucker of Iredell, Withers and Womack—53.

S. B. to repeal an act to extend the corporate limits of the town of Rutherfordton was taken up, and made special order for January 3d, at 11 A. M.

S. B. to re-enact chapter 37, section 15, of Revised Code, was taken up.

The amendment reported by the committee was adopted, and bill passed second and third readings, and amendment was ordered engrossed.

H. B. to incorporate the Victor Fire Company, No. 1, of the city of Raleigh, was taken up, and passed second and third readings, and ordered engrossed.

S. B. to change the time for holding the Superior Courts in the several counties composing the third judicial district was taken up, and amendments reported by the committee were adopted, and bill passed second and third readings.

The vote by which the bill passed its third reading was, on motion, re-considered, and the motion laid on the table; and a message was sent transmitting the bill, as amended, to the Senate for concurrence.

A message was received from the Senate transmitting for concurrence engrossed amendment to bill to amend the charter of the Reliance Bucket and Axe Fire Company of the city of Newbern; which were concurred in, and a message was sent announcing concurrence.

Also, a message from the Senate announcing concurrence in resolution regarding a recess.

H. B. to lay off and establish the county of Graham was taken up, and passed second reading.

On motion, the bill was put on the third reading.

Mr. McAllister moved to amend preventing representation of the county under apportionment to be made by this General Assembly.

Mr. Waring moved to lay bill on the table.

On which the ayes and noes were called, and the motion did not prevail. Ayes 34; Noes 51.

Ayes—Messrs. Brooks, Broadfoot, Brown, Buxton, Cawthorn, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hinnant, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Kelly of Moore, Loftin, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Wayne, Tucker of Craven, Waring, Withers and Willis—34.

Noes—Messrs. Anderson, Atwater, Bryson, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Currie, Dickey, Duckworth, Furr, Gambrel, Garrison, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Johnston of Buncombe, Johns, Jones of Caldwell, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Paylor, Powell, Regan, Robinson, Scott, Shull, Smith of Anson, Sparrow, Standford, Tucker of Iredell, Welch and York—51.

The amendment was adopted, and the ayes and noes were called on the passage of the bill, and it passed. Ayes 48; Noes 40.

Ayes—Messrs. Anderson, Atwater, Brooks, Bryson, Carson, Clinard, Collis, Copeland, Currie, Dickey, Duckworth, Furr, Gambrel, Garrison, Gore, Grayson, Harris of Guilford, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Kelsey, Kincaid, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Nicholson, Paylor, Rankin, Regan, Robinson, Scott, Shull, Smith of

Wayne, Sparrow, Standford, Tucker of Iredell, Welch, Wilcox and York—48.

Noes—Messrs. Armstrong, Bean, Broadfoot, Brown, Bunn, Buxton, Cawthorn, Chamberlain, Crawford, Dudley, Ellison, Faulkner, Fisher, Fletcher, Goodwin, Gregory, Guyther, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Moore, Loftin, Lyon, Mabson, McNeill, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Reid, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Withers and Willis—40.

And was ordered engrossed.

On motion of Mr. McAfee, the vote by which the bill to amend an act to authorize the Commissioners of Cleaveland county to issue bonds passed its third reading was reconsidered, and the motion to re-consider laid on the table.

On motion of Mr. Powell, the vote by which bill to amend chapter 53, Private Laws of 1860-'61, passed third reading was re-considered, and the motion to re-consider laid on the table, and the bills were engrossed, and sent with a message to the Senate for concurrence.

Mr. Broadfoot moved to suspend the rules to take up a bill.

The motion pending, leaves of absence were granted for ten days (to include the recess) to Messrs. Woodhouse, Welch, Shull, Page, Johnson of Edgecombe, Newsome, Garrison, Collis, Hardy and Chamberlain; and for one day to Messrs. Guyther, Martin and Goodwin.

On motion, the House adjourned.

THURSDAY, December 21st, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Mason, of the City.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C.

By Mr. Standford: A petition from citizens concerning the sale of spiriuons liquors in Magnolia. Read and referred to committee on propositions and grievances.

By Mr. Copeland: A petition from citizens of the State concerning the sale of spirituous liquors in townships. Read and referred to committre on counties, towns, &c.

By Mr. Robinson: A petition from citizens of Nantahala Township, in Macon County; which was read and referred to committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judiciary Committee, reported unfavorably on bill for the relief of suitors, jurors and witnesses; and on

H. B. in relation to homestead and personal property exemption; and favorably on

Bill for the prevention of fraud.

Mr. Ashe, from the Finance Committee, reported unfavorably on bill to regulate the collection of taxes; and favorably on

Bill to allow the Commissioners of Robeson County to adjust and pay off the county indebtedness, and asked discharge from further consideration of resolution in favor of James M. Young, Sheriff of Buncombe, and resolution of instructions to the Finance Committee.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to amend the provisions of chapter 37, section 15, of the Revised Code; and

Bill repealing chapter 104, public laws of 1868–'69; and a message was sent transmitting them to the Senate for concurrence.

RESOLUTIONS INTRODUCED.

By Mr. Gregory: A resolution regarding a recess. Read and placed on the calendar.

By Mr. Gore: A resolution in favor of James I. Summersett, a disabled soldier. Read and referred to the committee on finance.

BILLS INTRODUCED.

By Mr. Duckworth: A bill to incorporate Oak Grove Camp Ground. Read and referred to committee on corporations.

By Mr. Grayson: A bill concerning witness tickets, clerks' and sheriffs' fees in the hands of Superior Court Clerks, &c. Read and referred to the committee on salaries and fees.

By Mr. Tucker, of Iredell: A bill to be entitled an act to amend chapter 113, section 95, laws of 1868–'69. Read and referred to the judiciary committee.

By Mr. Scott: A bill to amend an act to promote the planting of oysters and clams. Read and referred to committee on propositions and grievances.

By Mr. Crawford: A bill to amend the Constitution of the State in regard to registration of electors. Read and referred to committee on constitutional reform.

CALENDAR.

The motion of Mr. Broadfoot to suspend the rules pending which the House on yesterday adjourned prevailed, and bill to amend an act to incorporate the Beaver Creek Manufacturing Company was taken up, and passed second and third readings, and ordered engrossed.

On motion, the resolution introduced by Mr. Gregory concerning a recess was taken up.

Mr. Strudwick moved to amend by striking out January

10th, and insert January 15th; which was adopted, when the ayes and noes were called on the passage of the resolution, and it failed to pass second reading. Ayes 34; Noes 53.

Ayes—Messrs. Bryan of Jones, Bryson, Carson, Chamberlain, Clinard, Collis, Copeland, Fisher, Gambrel, Gore, Gregory, Houston, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Lucas, Luckey, Maxwell, McAllister, McCauley, Mitchell, Nicholson, Paylor, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Standford, Strudwick and Tucker of Iredell—34.

Noes—Messrs. Atwater, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorn, Currie, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Gullick, Grayson, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Martin, Mabson, Marler, McNeill, Morgan of Montgomery, Morgan of Wake, Nisson, Rankin, Reavis, Robinson, Smith of Halifax, Sykes, Tucker of Craven, Waring, Withers, Willis, Womack and Williamson—53.

Mr. Rankin, from the Committee on Salaries and Fees, reported a bill to amend an act in relation to the salaries and fees of county officers and Supreme Court Clerk; and recommending that various bills relating to the same subject do not pass.

Mr. McNeill introduced a bill to prohibit the sale of intoxicating liquors within a mile and a half of St. Paul's church, in Robeson county. Read and referred to committee on propositions and grievances.

Bill to amend the charter of the town of Edenton was taken up.

Mr. Ellison moved to postpone consideration to January 6th; which did not prevail, and bill passed second reading.

S. R. concerning the lease of the North Carolina Railroad

was taken up, and amended on motion of Mr. Jordan, and passed third reading, and, as amended, engrossed.

Mr. Anderson, by consent, reported from the Committee on Counties, Towns, &c., a substitute to bill to authorize the levy of a special tax in Craven county to build a bridge across Trent river.

A message was received from the Senate transmitting for concurrence Senate bill to alter the Constitution of North Carolina; which was read and placed on the calendar.

S. B. to legalize the acts of Justices of the Peace in Rowan and other counties. Read and referred to the judiciary committee.

S. B. to incorporate the Raleigh Fertilizing and Manufacturing Company. Read and referred to the committee on corporations.

S. B. supplemental to an act to charter the Bank of Caswell. Read, and by request placed on the calendar; and

S. B. for the relief of D. J. Clarke, Sheriff of Bladen County. Read and placed on the calendar.

Mr. Mabson, by consent, introduced a resolution in favor of Henry M. Miller; which was read and referred to committee on claims.

On motion of Mr. Johnston, of Buncombe, the rules were suspended, and Senate bill to alter the Constitution of North Carolina was taken up, and made the special order for January 5th, at 11 A. M.

H. B. to require certain officers to submit estimates of necessary expenses was taken up, and passed second and third readings, and ordered engrossed.

S. B. supplemental to an act to charter the bank of Caswell was, on motion, taken up, passed second and third readings, and ordered enrolled.

Mr. Standford, by consent, introduced a bill for the relief of owners of property seized by virtue of a search warrant. Read and referred to the judiciary committee.

By the same: A bill to legalize the acts of certain county

officers of Macon and Jackson Counties, pending the organization of Swain County. Read and referred to judiciary committee.

A bill to incorporate the Newbern Educational Association was taken up, and passed second and third readings, and ordered engrossed.

Mr. Marler, from the Committee on Corporations, reported amendments to House bill to incorporate the Wilmington Mutual Insurance Company; also to

H. B. to incorporate the Dawson Bank; and to

H. B. to incorporate the Willard Bank of Wilmington.

H. B. to establish the line between Wayne and Greene Counties was taken up, and made special order for January 4th, at 11 A. M.

H. B. reported by Committee on Salaries and Fees, to amend salary and fee bill, being bill to amend sections 9, 11 and 17 of bill to fix the salaries and fees of county officers and Supreme Court Clerks, was taken up, and passed second and third readings, and ordered engrossed.

S. B. for the relief of D. J. Clarke, Sheriff of Bladen, was considered, and passed second and third readings, and ordered enrolled.

Mr. Houston, from the Finance Committee, reported a proviso to Senate resolution of instructions to the Public Treasurer.

Mr. Johnston, of Buncombe, introduced a bill to incorporate Ashville Council, Friends of Temperance. Read and referred to the committee on corporations.

S. B. to incorporate the Altamaha Coal Company was taken up, and passed second reading.

S. B. concerning joint contracts was taken up, and passed second reading.

S. B. to authorize the Commissioners of Lincoln county to issue bonds was taken up, and the amendment reported by the Committee was adopted, and bill passed its second reading. Ayes 66; noes 4.

AYES—Messrs. Anderson, Ashe, Brooks, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Currie, Dickey, Duckworth, Ellison, Faulkner, Fisher, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Lyon, Maxwell, McAllister, McCauley, McNeill, Morgan of Wake, Mitchell, Nisson, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robinson, Settle, Smith of Anson, Smith of Wayne, Standford, Tucker of Iredell, Waring, Womack and York—66.

NOES—Messrs. Brown, Martin, Marler and Williamson—4.

H. B. to extend the time of James Cansler, tax collector of Macon, to settle with the County Treasurer was taken up, amended by adding the names of the sheriffs of Wayne, Duplin, and tax collector of Tyrell, and passed second and third readings, and ordered engrossed.

S. B. in relation to transfer of suits from the County to Superior Courts trial docket was taken up, and passed second reading.

H. B. to incorporate the Dawson Bank was taken up, and second amendments reported by the Committee were concurred in, and the bill passed second and third readings and ordered engrossed.

H. B. to incorporate the Willard's Bank of Wilmington was taken up, the amendments reported by the Committee were adopted, and the bill passed second and third reading, and ordered engrossed.

H. B. to incorporate the Catawba and Lincoln Mining and Manufacturing Company was taken up, and passed second reading.

A message was received from the Senate transmitting for concurrence Senate bill to amend the charter of the North Western North Carolina Railroad, and to provide for the can-

cellation of certain mortgages executed by said company and for other purposes; which was read and referred to committee on internal improvements.

S. B. to amend chapter ——, section ——, laws of ———, in relation to fugitives from jusstice was taken up, and passed second reading.

S. B. to authorize the Public Treasurer to pay expenses when the State sues out writ of error or appeals to the Supreme Court of the United States was taken up, and passed second reading.

S. B. to re-enact section 6, chapter 102, of Revised Code was taken up.

Mr. Strudwick moved to postpone consideration indefinitely; which did not prevail.

Mr. Crawford renewed the motion, on which Mr. Brown called the ayes and noes.

The call was sustained, and the motion did not prevail. Ayes 33; Noes 53.

Ayes—Messrs. Armstrong, Ashe, Cawthorn, Crawford, Currie, Dickey, Drake, Gore, Hinnant, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Luckey, Maxwell, Nicholson, Paylor, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Standford, Stewart, Tucker of Iredell, Withers and Wilcox—33.

Noes—Messrs. Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bunn, Buxton, Carson, Collis, Copeland, Duckworth, Ellison, Faulkner, Fisher, Fletcher, Gambrel, Garrison, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Henderson, Houston, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Kincaid, Loftin, Lyon, Martin, Mabson, Marler, McAllister, McCauley, McNeill, Morgan of Montgomery, Morgan of Wake, Mitchell, Nisson, Phillips, Reavis, Scott, Smith of Halifax, Tucker of Craven, Waring, Willis, Womack, Williamson and York—53.

Mr. Gregory moved to postpone, and make the bill special order for January 8th, at 11 A. M.; which motion prevailed.

S. B. to amend chapter 303 of Code of Civil Procedure was taken up, and passed second reading.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled, an act to amend chapter 29, of the laws of 1870–'71, to authorize the construction of a turnpike from Malone and Wilson's store, in McDowell county, to Flat creek, in Buncombe county;

An act to incorporate the Border Railroad Company;

An act to regulate the time for holding the municipal elections in the town of Fayetteville;

An act to amend the charter of the Reliance Bucket and Axe Fire Company of city of Newbern;

An act to amend section 1, chapter 273, of laws of 1868–'9, to provide for holding of special terms of the Superior Courts;

An act for the general relief of sheriffs, and a resolution in regard to recess; and they were ratified.

Messrs. Welch and Dunham were reported absent on account of sickness.

On motion, the House adjourned.

FRIDAY, DECEMBER 22d, 1871.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judiciary Committee, reported favorably on Senate bill to change the time for holding the superior courts in the counties of Granville and Nash.

On Senate bill in relation to Talis Jurors in Granville county, and

On bill in relation to certain vacant lands.

Mr. Gregory, from the Committee on Internal Improvements, reported favorably on Senate bill to amend the charter of the North Western North Carolina Railroad Company, and to allow cancellation of certain mortgages executed by said company, and for other purposes.

Mr. Johnston, of Buncombe, from the Finance Committee, reported favorably on Senate bill to provide for the collection of arrears of taxes in Jackson county.

Mr. Marler, from the Committee on Corporations, reported favorably on bill to incorporate the Raleigh Fertilizing and Manufacturing Company; which was, on motion, considered under suspension of the rules, and passed second and third readings, and ordered engrossed.

RESOLUTIONS INTRODUCED.

By Mr. Atwater: A resolution in favor of David Latta. Read and placed on the calendar.

By the same: A resolution in favor of John H. Hill, sergeant at arms. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Broadfoot: A bill to incorporate the Fayetteville Road Steamer Company. Read and referred to the committee on corporations.

By Mr. Atwater: A bill regarding marriage license. Read and referred to judiciary committee.

By Mr. Crawford: A bill to amend section 4, chapter 118, private laws of 1870–71, which under a suspension of the rules was considered, passed second and third readings, and ordered engrossed and transmitted to the Senate to-day.

CALENDAR.

S. R. of instructions to the Public Treasurer was taken up. The amendment reported by the Finance Committee was adopted, and resolution passed second and third readings, and ordered engrossed as amended.

H. B. to amend chapter 6th of the Private Laws of 1870-71, was taken up, and passed second and third readings, and ordered engrossed.

H. B. to incorporate the Brothers Manufacturing Company was taken up and passed second and third readings and ordered engrossed.

H. B. to incorporate the Catawba and Lincoln Mining and Manufacturing Company of N. C., was taken up on third reading. Passed and ordered engrossed.

S. B. to amend the charter of the North Western North Carolina Railroad Company, and to provide for cancellation of certain mortgages executed by said company, &c., was taken up and passed second and third readings, and ordered enrolled.

H. B. to incorporate the Murphy Mills Manufacturing Company, of Cumberland county, was taken up and passed second and third readings, and ordered engrossed.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed,

House amendments to Senate bill to re-enact section 15, chapter 37, of the Revised Code ;

H. B. to incorporate the Raleigh Fertilizing and Manufacturing Company, and

H. B. to amend section 4, chapter 118, of the Private Laws of 1870-'71.

A message was sent transmitting them to the Senate for concurrence.

Messages were received from the Senate transmitting for concurrence of the House,

S. B. to incorporate the Hillsboro' Bank. Read, and by request, placed on the calendar.

Engrossed Senate amendments to House bill to provide for the collection of taxes by the State and the several Counties on property.

The question of concurrence in which was, on motion of Mr. Hargrove, postponed to January 4th, 1872.

Also, transmitting Senate bill to prevent the killing of deer recklessly; which was read and referred; and

S. B. in relation to county officers; which was read and placed on the calendar.

S. B. to provide for the service of process issuing from Justices' Courts, where one or more of the defendants reside beyond the limits of the county where the process is issued. Read and referred to the committee on the judiciary. And

S. B. to amend chapter 35, section 32, of the Revised Code of North Carolina. Read and referred to the judiciary committee.

Mr. Lucas, by consent, introduced a bill to prevent the catching of oysters in Tar Creek, Hyde County. Read and referred.

Mr. Gregory, by request, a bill to prevent the buying and selling of certain articles during the night time. Read and referred to the judiciary committee.

On motion, Senate bill to incorporate the Bank of Hillsboro' was taken up, and passed second and third readings, and ordered enrolled.

H B. to incorporate a Dramatic and Literary Association in the town of Fayetteville was taken up, and passed second and third readings, and ordered engrossed.

Resolution in favor of the State Library was taken up and adopted.

Mr. McCauley, by consent, introduced a bill in relation to dower. Read and referred to the judiciary committee.

H. B. to authorize the Commissioners of Montgomery

county to levy a special tax was taken up, and failed to pass for want of a quorum. Ayes 46; Noes 12.

Ayes—Messrs. Anderson, Ashe, Atwater, Bean, Brooks, Bryson, Bunn, Cawthorn, Carson, Crawford, Currie, Dickey, Drake, Dudley, Duckworth, Gambrel, Gullick, Grayson, Harris of Franklin, Hargrove, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kincaid, Loftin, Lucas, Lyon, McAfee, McAllister, Morgan of Montgomery, Mitchell, Nisson, Phillips, Paylor, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Tucker of Craven, Waring, Willis and Womack—46.

Noes—Messrs. Brown, Clinard, Gore, Gregory, Houston, Hinnant, Johns, Lassiter, Marler, Nicholson, Tucker of Iredell and Williamson—12.

S. B. concerning joint contracts was taken up, and passed third reading, and ordered enrolled.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to amend an act entitled an act to incorporate the Asheville and Virginia Railroad Company, being chapter 242, laws of 1870–'71;

An act to authorize the Commissioners of Hertford county to levy a special tax;

An act to incorporate the College of Physicians and Surgeons of Wilmington;

An act supplemental to an act to charter the Bank of Caswell;

An act to amend the charter of the town of Beaufort, N. C.;

An act for the relief of the Sheriff of Bladen county;

An act in favor of James I. Moore, Sheriff of Granville county; and John M. Bateman, Sheriff of Washington county; and J. J. Satchwell, Sheriff of Beaufort county.

And they were ratified.

On motion, the House adjourned to January 2d, A. D. 1872, at 10 A. M.

TUESDAY, JANUARY 2d, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

Mr. Crawford moved a call of the House, which motion prevailed, and the following members answered to their names:

Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Broadfoot, Brown, Bryan of Johnston, Clinard, Copeland, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Ellison, Gambrel, Gore, Grayson, Harris of Guilford, Harris of Franlin, Henderson, Hinnant, Johnston of Buncombe, Joyner of Johnston, Kelly of Davie, Kelsey, Lassiter, Martin, McAfee, McAllister, McCauley, Morris, Mills, Nicholson, Phillips, Rankin, Strudwick, Tucker of Iredell, Waring, Welch, Withers and Williamson—44.

No quorum being present,

On motion of Mr. Brown, the House adjourned.

WEDNESDAY, JANUARY 3d, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Hardy of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Clinard, from the Committee on Engrossed bills, reported as correctly engrossed, House bill to establish a new county by the name of Graham;

H. B. to incorporate the Warrenton and Shocco Turnpike Company;

H. B. to authorize the Commissioners of Haywood to sell a portion of the Poor house lands; and

Amendments to Senate bill in regard to the lease of the North Carolina Railroad.

A message was sent transmitting them to the Senate for concurrence.

RESOLUTIONS.

By Mr. Johnston, of Buncombe: A resolution in favor of defaulting sheriffs. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Bean: A bill to amend an act entitled an act to amend chapter 188, section 1, of acts of 1869–70. Read and referred to committee on judiciary.

By Mr. Dickey: A bill to appoint a board of trustees for Mount Pleasant Academy, in Cherokee. Read and referred to committee on corporations.

By Mr. Sparrow: A bill with a memorial to regulate fishing at Hatteras and Ocracoke Inlets and Neuse River. Read and referred to committee on propositions and grievances.

By Mr. Houston: A bill to incorporate the North Carolina Narrow Guage Railroad. Read and referred to committee on internal improvements.

By Mr. Crawford: A bill to incorporate Prospect Lodge, Free and Accepted Masons. Read and placed on the calendar.

CALENDAR.

The special order, being resolution to impeach George W. Logan, Judge of the 9th Judicial District, was taken up.

Mr. Dudley moved to lay the resolution on the table, and called the ayes and noes.

The call was sustained, and the motion did not prevail. Ayes 32; Noes 44.

AYES—Messrs. Bean, Brown, Bryan of Jones, Bunn, Cawthorn, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Grayson, Guyther, Hampton, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Johns, Jones of Northampton, Justice, Kelsey, Loftin, Lyon, Marler, Morris, Morgan of Wake, Nisson, Smith of Halifax, Tucker of Craven, Willis and Williamson—32.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Henderson, Houston, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Martin, McAfee, McAllister, McCauley, Mills, Nicholson, Paylor, Rankin, Robinson, Smith of Anson, Sparrow, Standford, Stewart, Tucker of Iredell, Waring Welch, Withers, Womack and York—44.

Mr. Waring moved to make resolution the special order for Saturday next, at 11 A. M., and the motion prevailed.

The second special order, being Senate bill to repeal an act to extend the corporate limits of the town of Rutherford, was taken up, and, on motion, postponed for half an hour.

On motion, House bill to incorporate Rocky Mount Collegiate Institute was taken up, and amended, on motion of Mr. Guyther, by substituting Collego for Collegiate Institute wherever it occurs, and passed second and third readings, and ordered engrossed.

The Senate order was then taken up, to repeal an act to extend the corporate limits of the town of Rutherford, amended, on motion of Mr. Justice, by inserting the proviso that the act shall be approved by the voters within the old corporate limits, and passed second and third readings and ordered engrossed.

Messages were received from the Senate transmitting for concurrence,

S B. to incorporate a bank in Newbern. Read and referred to committee on corporations.

S. B. to amend the charter of the city of Newbern. Read and referred to the committee on corporations.

S. B. to prevent the sale of spirituous liquors within two miles of Syloam Academy and Cain Creek Church. Read and referred to committee on propositions and grievances.

S. B. to incorporate Guilford county Co-operative Association. Read and referred to committee on corporations.

S. B. to incorporate the Cape Fear Iron and Steel Company. Read and referred to committee on corporations; and

S. B. to exempt members of certain Fire Companies of the city of Charlotte from public duties. Read and referred to committee on counties, towns, &c.

Leave of absence was granted Mr. Shull for one day.

CALENDAR.

H. B. to amend the charter of the town of Edenton, on third reading was taken up and passed, and ordered engrossed.

H. B. to establish a public highway in the counties of Burke and Mitchell was taken up and passed second and third readings, and ordered engrossed.

S. B. in relation to county officers was taken up and passed third reading and ordered enrolled.

S. B. to allow transfer of certain causes from the late courts of equity was taken up and passed third reading and ordered enrolled.

S. B. to amend section 4, chapter 35, Revised Code, concerning fugitives from justice, was taken up on third reading and passed and ordered enrolled.

S. B. to incorporate the Altamaha Coal Company, was taken up and passed and ordered enrolled.

S. B. to authorize the commissioners of Lincoln county to issue bonds was taken up, and, on motion, postponed to be special order for Monday next.

S. B. to amend section 303 of Code of Civil Procedure, was taken up on third reading and passed and ordered enrolled.

S. B. to authorize the payment by the Public Treasurer of costs in cases where the State appeals or sues out writ of error to the Supreme Court of the United States, on third reading was taken up, passed and ordered enrolled.

H. B. to incorporate the Wilmington Mutual Insurance Company was taken up, the amendments offered by the committee were adopted, and the bill passed second and third readings and ordered engrossed.

On motion of Mr. Welch, the vote by which the bill in relation to county officers passed third reading was reconsidered.

Mr. Welch moved to strike out the proviso.

Mr. Hargrove moved to postpone consideration indefinitely, and the motion prevailed.

S. B. to provide for the collection of arrears of taxes in Jackson county was taken up, the amendment proposed by the committee was adopted, and the bill passed second reading.

S. B. in relation to "talis jurors" in Granville county was taken up.

Mr. Loftin moved to postpone consideration indefinitely, and the motion prevailed.

Mr. Johnston, of Buncombe, in the chair.

S. B. in regard to certain vacant lands was taken up, and, on motion, recommitted to the committee on judiciary.

S. B. to re enact section 6, chapter 102, of the Revised Code, was taken up and passed second reading.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to amend the charter of the Northwestern North Carolina Railroad Company and for other purposes;

An act to incorporate the Bank of Hillsboro';

An act to incorporate the Raleigh Fertilizing and Manufacturing Company; and

An act concerning joint contracts; and the same were ratified.

Mr. Powell, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. B. to extend the time of James Cansler and others to settle with their County Treasurers;

H. B. to lay out and establish a turnpike in the counties of Camden and Currituck; and

H. B. to incorporate the Charlotte and Fayetteville Railroad Company.

On motion, the House adjourned.

THURSDAY, JANUARY 4th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

MEMORIALS, PETITIONS, &C.

By Mr. Sparrow: A memorial from George L. Windley, asking repeal of an act authorizing the Albemarle Swamp Land Company to construct a railroad. Read and referred to committee on internal improvements.

By Mr. Houston: A memorial from citizens against the sale of intoxicating liquors in Hickory Tavern. On the table under the rules.

By Mr. Waring: A memorial from Commissioners of Mecklenburg, favoring the impeachment of George W. Logan, Judge of 9th Judicial District. On the table under the rules.

By the same: A memorial from a public meeting of citizens of Mecklenburg county to the same effect.

Mr. Sparrow moved that it be not received, as it was not signed, except as the proceedings of a meeting.

The ayes and noes were called on the motion; and it did not prevail. Ayes 39; Noes 45.

Ayes—Messrs. Anderson, Ashe, Atwater, Brooks, Broadfoot, Clinard, Currie, Dickey, Drake, Duckworth, Gambrel, Gore, Gullick, Grayson, Hampton, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Kelly of Moore, Kelsey, Lassiter, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Nicholson, Paylor, Powell, Robinson, Smith of Anson, Sparrow, Stewart, Tucker of Iredell, Welch and Withers—39.

Noes—Messrs. Armstrong, Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Crawford, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Johnson of Edgecombe, Jones of Northampton, Jordan, Justice, Loftin, Luckey, Lyon, McNeill, Morris, Morgan of Wake, Nisson, Reavis, Regan, Smith of Halifax, Standford, Tucker of Craven, Waring, Willis, Williamson, Young of Wake and York—45.

And the memorial went on the table under the rules.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. B. to charter the town of Dallas;

H. B. to amend chapter 6, Private Laws of 1870–'71;

H. B. to incorporate a Literary and Dramatic Association in the town of Fayetteville;

H. B. to incorporate the Brothers Manufacturing Company of Cumberland county;

H. B. to incorporate the Murphy Mills Manufacturing Company of Cumberland county, and

House amendments to Senate resolution of instructions to the Public Treasurer.

And a message was sent transmitting the same to the Senate for concurrence.

Mr. Hardy, from the same Committee, reported as correctly engrossed,

H. B. to incorporate the Victor Fire Company, No. 1, of the city of Raleigh;

H. B. to incorporate the Dawson Bank, and

H. B. to incorporate the Catawba and Lincoln Mining and Manufacturing Company of North Carolina.

Mr. Welch, from the Committee on Internal Improvements, reported favorably on Senate bill to erect a tollgate between Franklin, N. C., and Clayton, Georgia;

S. B. to amend the charter of the Western Railroad Company, and

H. B. to incorporate the Murphy and Tennessee Turnpike Company.

Mr. Anderson, from the Committee on Counties, Towns, &c., reported unfavorably on H. B. to amend the charter of the town of Edenton.

Mr. Sparrow, from the Committee on Judiciary, reported favorably on Senate bill to amend section 35, chapter 32, of the Revised Code of North Carolina.

Mr. Hinnant, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. B. to prevent the felling of trees in New river, Ashe county;

H. B. to require certain officers to submit estimates of necessary expenses;

H. B. to amend sections 9, 11 and 13, chapter 139, laws of 1870–'71, and

H. B. to incorporate the Newbern Educational Association.

INTRODUCTION OF RESOLUTIONS.

By Mr. Robinson: A resolution in favor of T. J. Siler and J. M. Lyle, executors of Jacob Siler, deceased. Read and referred to the committee on finance.

INTRODUCTION OF BILLS.

By Mr. Gullick: A bill to incorporate the town of Cherryville, in Gaston county. Read and referred to committee on counties, towns, &c.

By Mr. Stewart: A bill to incorporate the town of Lillington, in Harnett county. Read and referred to committee on corporations.

By Mr. Sparrow: A bill in relation to bastard children, amending Revised Code, section 1, chapter 12.

By the same: A bill to amend section 32, chapter 85, Revised Code, entitled Pilots. Both read and referred to the judiciary committee.

By Mr. Morris: A bill to amend an act to incorporate the town of Hendersonville. Read and referred to committee on counties, towns, &c.

By Mr. Gore: A bill to prevent the sale of spirituous liquors within two miles of Pleasant Plains Baptist Church, in Columbus county. Read and referred to committee on propositions and Grievances.

By Mr. Stewart: A bill to authorize the construction of a toll bridge across the Cape Fear river at Lillington, Harnett county. Read and referred to committee on corporations.

By Mr. Rankin: A bill to make Reedy Creek a lawful fence. Read and referred to committee on propositions and grievances.

CALENDAR.

Special order being, consideration of Senate amendments to House bill to provide for the collection of taxes by the State and the several counties on property was taken up, a motion to concur did not prevail, and a message was sent announcing that the House had refused to concur.

2d. Special order being, bill to abolish the office of State Geologist was taken up, and on motion of Mr. Sparrow, was postponed to Tuesday next, at 11 A. M.

3d. Special order, House bill to revive and establish the dividing line between the counties of Wayne and Green was taken up, amended on motion of Mr. Hardy, and passed second reading.

H. R. in favor of defaulting sheriffs was, on motion, taken up, amended by substituting delinquent for defaulting, and passed second reading.

S. B. to change the time for holding the Superior Courts in Granville and Nash counties was taken up, and passed second and third readings and ordered enrolled.

S. B. to incorporate the Wilmington Library Association was considered and passed second reading.

Mr. Anderson moved to reconsider the vote by which Senate bill in relation to county officers was indefinitely postponed, the motion did not prevail for want of a quorum. The motion was renewed, and, under a call for the ayes and noes, prevailed. Ayes 60; Noes 21.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Ellison, Furr, Gambrel, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Mills. Nicholson, Phillips, Paylor, Powell, Rankin, Regan, Robinson, Smith of Anson, Sparrow, Standford, Stewart, Tucker of Iredell, Welch, Withers, Womack and York—60.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Dudley, Fletcher, Johnson of Edgecombe, Loftin, Morgan of Wake, Nisson, Reavis, Smith of Halifax, Tucker of Craven, Willis and Young of Wake—21.

Mr. Crawford moved to reconsider the vote by which Sen-

ate bill in reference to talis jurors in Granville County was indefinitely postponed.

The motion did not prevail.

Mr. Ashe, by consent, introduced a bill to incorporate Stonewall Lodge No. 1, of Knights of Pythias. Read and referred to committee on corporations.

Also a resolution in favor of the servants employed by the General Assembly. Read and referred to committee on contingencies.

H. B. to protect commissioners of counties from imprisonment was taken up, and passed second reading.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to authorize the city of Wilmington to fund its debt and to issue bonds;

An act to amend section 4, chapter 35, Revised Code, in relation to fugitives from justice;

An act to re-enact the provisions of section 15, chapter 37, of the Revised Code;

An act to amend chapter 118, private laws of 1870–'71;

An act to incorporate the Fayetteville Building and Loan Association;

An act to change an alley in the town of Shelby; and

Resolution extending the time of H. W. Mays, Sheriff of Alexander County, to settle with County Treasurer; and they were ratified.

A message was sent to the Senate transmitting for concurrence,

H. B. an act to raise revenue;

H. B. to lay off and establish a turnpike in the counties of Camden and Currituck;

H. B. to extend the time of James Cansler and others to settle with their County Treasurers;

H. B. to incorporate the Taylorsville and Charlotte Railroad Company;

House amendment to Senate bill to change the time for

holding the superior courts in the several counties, composing the 3rd Judicial District; also

H. B. to incorporate the Dawson Bank; and

H. B. to incorporate the Catawba and Lincoln Mining and Manufacturing Company.

A message was received from the Senate asking concurrence of the House in Senate bill to incorporate the Farmers' and Mechanics' Association. Read and referred to committee on corporations; and

Senate amendment to House amendment to Senate resolution in regard to the lease of the North Carolina Railroad; and the amendment was concurred in.

The calendar was resumed.

S. R. in favor of John M. Cloud, Judge of the 8th Judicial District, was taken up, and passed second and third readings and ordered enrolled.

S. B. on third reading, to be entitled "an act for the collection of arrears of taxes in Jackson County," was considered and passed, and ordered enrolled.

Mr. Robinson, by consent, introduced a bill to change the line between the counties of Cherokee and Swain. Placed on the calendar by consent.

S. B. to re-enact section 6, chapter 102, of the Revised Code, was taken up on third reading.

Mr. Crawford moved to lay the bill on the table; which did not prevail.

Mr. Strudwick moved to amend, requiring the contractor for the printing of the Supreme Court Reports to give bond; which was adopted.

Mr. Johnston, of Buncombe, in the chair.

Mr. Houston called the ayes and noes on the passage of the bill.

The call was sustained, and the bill passed. Ayes 40; Noes 38.

AYES—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Collis, Copeland, Dud-

ley, Duckworth, Ellison, Faulkner, Fletcher, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Martin, Marler, McCauley, Morris, Morgan of Wake, Nisson, Phillips, Reavis, Smith of Halifax, Tucker of Craven, Willis, Williamson and Young of Wake—40.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Cawthorn, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Luckey, Maxwell, McAfee, McAllister, Nicholson, Paylor, Regan, Robinson, Settle, Smith of Anson, Standford, Strudwick, Tucker of Iredell, Welch, Womack and York—39.

Mr. Waring moved to adjourn, and the motion prevailed.

FRIDAY, JANUARY 5th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

MEMORIALS, PETITIONS, &C., RECEIVED.

By Mr. Clinard : A memorial from citizens of Davidson county against the sale of intoxicating liquors near Davidson High School. Placed on the table under the rules.

REPORTS OF COMMITTEES.

Mr. Ashe, from the Judiciary Committee, reported on

House bill to amend an act concerning the city of Wilmington; which was, by request, ordered to be printed.

By the same, from the Finance Committee, asking discharge from further consideration of House bill to repeal a portion of section 10, chapter 227, laws of 1870–'71.

Mr. Sparrow, from Committee on Judiciary, reported favorably on House bill to amend chapter 85 of the Revised Code, (entitled Pilots);

H. B to legalize acts of certain county officers of Macon and Jackson counties pending the organization of Swain county;

H. B. to legalize the acts of Justices of the Peace of Rowan and other counties;

H. B. to amend chapter 12, section 1, of Revised Code, entitled Bastard Children;

H. B. in relation to writ of *mandamus*; unfavorably on

H. B. to allow a mortgage deposit in lieu of individual security or a money deposit;

H. B. to prohibit the buying and selling of certain articles during the night time;

H. B. in regard to marriage license;

Bill to amend section 95, chapter 193, laws of 1868–'69; and

A substitute to House bill to protect *bona fide* purchasers of real estate in a bill to "provide in certain cases an allowance for improvements."

Mr. Welch, from the Committee on Internal Improvements, reported favorably on House bill to authorize the Western Railroad Company to open the navigation of the waters of Lower Little River.

Mr. Broadfoot, from the Committee on Corporations, reported an amendment to House bill to charter the Oak City Savings Bank of Raleigh, and favorably on

H. B. to amend the charter of the city of Raleigh.

Mr. McNeill, from the Committee on Propositions and Grievances, reported favorably on House bill to make Reedy Creek a lawful fence;

H. B. to prevent the sale of spirituous liquors within 1½ miles of St. Paul's church, in Robeson county;

H. B. to prevent the sale of spirituous liquors within the corporate limits of Magnolia, Duplin county;

H. B. to prohibit the sale of spirituous liquors within two miles of Sylvan Academy and Cane Creek Church;

H. B. to promote the planting of oysters and clams, (amendatory of an act, chapter 33, acts of 1858–'59;)

And unfavorably on House bill to require sheriffs to advertise the sale of lands in a newspaper in their county;

Favorably on Senate bill to prevent the killing of deer recklessly; and on

H. B. to prevent the catching of oysters in Far Creek, Hyde County.

On motion of Mr. Sparrow, the use of the Hall was granted Mr. William Bingham for Monday evening next, for purpose of a lecture.

Leave of absence was granted Mr. Reid until Tuesday next, on account of sickness in his family.

INTRODUCTION OF BILLS.

By Mr. Sparrow: A bill to enable any persons not less than three, to become incorporate, and to regulate such and other corporations. Read and referred to committee on corporations.

Mr. Clinard: A bill to incorporate Davidson High School. Read and referred to committee on corporations.

By Mr. Johnston, of Buncombe: A bill to abolish the office of Supreme Court Reporter, and for other purposes. Read and referred to the judiciary committee.

By Mr. Hargrove: A bill to amend the charter of the town of Henderson. Read and referred to the committee on counties, towns, &c., with accompanying testimonial.

CALENDAR.

S. B. to incorporate the Wilmington Library Association was taken up and passed second reading.

S. B. to amend the charter of the Western Rail Road Company was taken up, amended on motion of Mr. Broadfoot, and passed second and third readings. Ordered engrossed.

Mr. Strudwick moved that the vote by which Senate bill to change the time for holding the superior courts in Granville and Nash passed, be reconsidered.

The Senate order being Senate bill to alter the constitution of North Carolina was taken up.

Mr. Ashe moved to amend, striking out all, from 46th to the 52d line inclusive, and insert in lieu thereof, section 8, article 4; add the words, until the first day November, A. D. 1864, on and after which day it shall consist of one chief justice and two associate justices. The amendment did not prevail.

When Mr. Johnston, of Buncombe, moved to amend, changing the language of lines 9, 10 and 11. (Withdrawn for the present.)

Mr. Loftin moved to consider the bill by paragraphs, and called the ayes and noes; the call was sustained, and the motion did not prevail. Ayes 35; Noes 57.

AYES—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher. Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Wake, Nisson, Phillips, Reavis, Smith of Halifax, Tucker of Craven, Willis, Williamson and Young of Wake—35.

NOES—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Carson, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of John-

ston, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Womack and York—57.

Mr. Waring moved to amend, inserting, that the judges shall hold their offices during good behavior, and the other peace officers authorized by this constitution.

Mr. Mills moved to amend by requiring judicial officers to be elected by the General Assembly, and to hold office during good behavior.

On motion of Mr. Luckey, further consideration of the bill was postponed to Wednesday next at 11 A. M.

A message was received from the Senate transmitting for concurrence

S. B. to amend chapter 63, Private Laws of 1870–'71. Read and referred to the judiciary committee.

S. B. to repeal chapter 277, laws of 1869–'70. Read and referred to the judiciary committee.

S. B. to amend an act to incorporate the Raleigh Fertilizing and Manufacturing Company. Read and placed on the calendar.

S. B. to empower County Commissioners to extend the time for collecting taxes. Read and referred to committee on counties and towns.

On motion of Mr. Strudwick, the House consented to a verification of the vote on third reading of Senate bill to re-enact section 6 of chapter 103, Revised Code; and Messrs. Strudwick and Hargrove were appointed to effect the same.

Mr. Strudwick reported the vote recorded correct, but that Mr. Ashe was not recorded in the negative, as he voted, making the vote—Ayes 39; Noes 40.

Mr. Dunham, by consent, introduced a bill to incorporate the Wilson Collegiate Institute. Read and referred to committee on corporations.

S. B. to prohibit the sale of intoxicating liquors within two miles of Sylvan Academy and Cane Creek Church was considered, and passed second and third readings and ordered enrolled.

Mr. Sparrow, by consent, introduced a bill to incorporate the Neptune Fire Company of Washington. Placed on the calendar.

S. B. to amend an act to incorporate the Raleigh Fertilizing and Manufacturing Company was taken up, on motion, and passed second and third readings and ordered enrolled.

H. B. to make Reedy Creek a lawful fence was taken up, and passed second and third readings and ordered engrossed.

H. R. in favor of delinquent sheriffs on third reading was taken up, and, on motion, referred to finance committee.

H. B. to legalize the acts of the County Court of Alleghany county at April term, 1868, was taken up, and passed second and third readings and ordered engrossed.

H. B. to establish the county line between Wayne and Greene on third reading, passed, and ordered engrossed.

Leave of absence was granted Mr. Johnston, of Buncombe, for one day.

A message was sent transmitting to the Senate for concurrence

H. B. to incorporate the Willard's Bank of Wilmington;

H. B. to require certain officers to submit estimates of necessary expenses;

H. B. to incorporate the Newbern Educational Association;

H. B. to amend sections 9, 11 and 13, chapter 139, laws of 1870–'71;

H. B. to prevent the felling of trees in New River, Ashe county;

H. B. to amend the charter of the town of Edenton.

Engrossed House amendment to Senate bill to repeal an act to extend the corporate limits of the town of Rutherford.

Mr. Robinson, from the committee on Enrolled Bills, reported as correctly enrolled,

An act to change the time for holding the courts in the counties of Granville and Nash;

An act to incorporate the Altamaha Coal Company;

An act to allow transfer of certain causes pending in the late courts of equity in this State;

An act to amend section 303 of Code of Civil Procedure;

An act to incorporate Falls of Neuse Manufacturing Company, and

An act to authorize the payment by the Public Treasurer of costs in cases where the State appeals or sues out writ of error to the Supreme Court of the United States, and they were ratified.

On motion the House adjourned.

SATURDAY, JANAURY 6th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Pritchard of the City.

The Journal of yesterday was read and approved.

PETITIONS, MEMORIALS, &C.

By Mr. Kincaid: A petition from the citizens of Lincoln county, favoring the removal from office of George W. Logan, Judge of 9th Judicial District. On the table under the rules.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judiciary Committee, reported favorably on Senate bill to amend chapter 63, of the private laws of 1870–'71.

On H. B. to abolish the office of Supreme Court Reporter, and for other purposes.

On S. B. to repeal chapter 227, laws of 1869-'70.

On bill to amend chapter 188, section 1, of acts 1869-'70.

Mr. Rankin, from the committee on Salaries and Fees, reported unfavorably on House bill concerning witness tickets and clerks and sheriffs fees in the hands of superior court clerks due persons of other counties.

Mr. Broadfoot, from the Committee on Corporations, reported, asking reference to the Judiciary Committee of House bill to allow any persons not less than three to become incorporated, and to regulate such and other corporations. The bill was so referred.

Favorably, on Senate bill to incorporate the Farmer's and Mechanic's Association ;

H. B. to incorporate the Fayetteville Road Steamer Company; and

S. B. to incorporate the Cape Fear Iron and Steel Company.

INTRODUCTION OF BILLS.

By Mr. Sparrow : A bill to repeal the Code of Civil Procedure and enact a new Code. Ordered to print.

CALENDAR.

H. B. to protect Commissioners of Counties from imprisonment, was taken up on third reading and passed.

S. B. to erect a toll gate between Franklin, N. C., and Clayton, Georgia, was taken up, and passed its third reading and ordered enrolled.

S. B. to prevent the killing of deer recklessly, was taken up.

Mr. Joyner, of Johnston, moved to lay the bill on the table, which did not prevail.

Mr. Standford moved to strike out January and insert May.

Mr. Brown moved to strike out of the amendment May and insert February.

Neither of the motions prevailed.

Mr. Sparrow moved to strike out January 1st and insert 20th February. Motion lost.

Mr. Joyner, of Johnston, called the ayes and noes on the passage of the bill.

The call was sustained, and the bill passed second reading. Ayes 49; Noes 39.

AYES—Messrs. Ashe, Bean, Brooks, Bryan of Jones, Cawthorn, Clinard, Collis, Copeland, Crawford, Duckworth, Fletcher, Furr, Gambrel, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Jones of Caldwell, Justice, Kelsey, Kincaid, Lassiter, Luckey, Lyon, Marler, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mills, Nicholson, Nisson, Paylor, Rankin, Reavis, Regan, Robbins, Settle, Shull, Tucker of Iredell, Waring, Withers and Wilcox—49.

NOES—Messrs. Armstrong, Broadfoot, Brown, Bryant of Halifax, Bunn, Buxton, Carson, Chamberlain, Currie, Dickey, Drake, Dunham, Ellison, Faulkner, Gore, Grayson, Gregory, Hinnant, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Johnston, Jordan, Loftin, Mabson, Maxwell, Page, Powell, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Standford, Tucker of Craven, Willis, Womack and York—39.

A message was received from the Senate announcing that the Senate has refused to recede from its amendments to House bill to provide for the collection of taxes by the State and the several Counties on property, and asks a committee of conference. The request was concurred in.

Also, that the Senate has refused to concur in House amendments to Senate bill to repeal an act to extend the corporate limits of the town of Rutherford.

Mr. Robinson moved that the House recede.

The motion was pending, when the hour for consideration of the Special Order having arrived, it was taken up, being

Resolution to impeach George W. Logan, Judge of the 9th Judicial District.

Mr. Mabson moved to postpone consideration indefinitely, and called the ayes and noes.

The call was sustained, and the motion did not prevail. Ayes 41 ; Noes 53.

AYES—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Hinnant, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Marler, Morris, Nisson, Page, Robbins, Smith of Halifax, Tucker of Craven, Willis, Womack, Williamson and York—41.

NOES—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Luckey, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers and Wilcox—53.

After much discussion, Mr. McAfee moved to adjourn.

On which the ayes and noes were called, and the motion did not prevail. Ayes 46 ; Noes 51.

AYES—Messrs. Anderson, Broadfoot, Bryant of Halifax, Bryan of Jones, Carson, Collis, Copeland, Crawford, Currie, Dickey, Duckworth, Dunham, Faulkner, Fletcher, Gore, Guyther, Hardy, Henderson, Houston, Johns, Jones of Northampton, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kincaid, Luckey, Lyon, Martin, McAfee, McCauley, McNeill, Mills, Page, Powell, Regan, Scott, Smith of Wayne, Sparrow,

Standford, Strudwick, Tucker of Iredell, Waring, Welch, Wilcox and Young of Wake—46.

Noes—Messrs. Armstrong, Ashe, Bean, Brooks, Brown, Bunn, Buxton, Cawthorn, Clinard, Drake, Dudley, Ellison, Furr, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Hargrove, Heaton, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Lassiter, Loftin, Mabson, Marler, Maxwell, McAllister, Morris, Morgan of Wake, Nicholson, Nisson, Phillips, Paylor, Rankin, Reavis, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Stewart, Tucker of Craven, Withers, Willis, Womack, Williamson and York—51.

Mr. Sparrow moved to postpone further consideration till Monday next, at 11½ A. M; which prevailed.

Mr. Strudwick, by consent, withdrew his motion to reconsider the vote by which Senate bill to change the time for holding the Superior Courts in the counties of Granville and Nash, passed third reading, and the bill was enrolled.

Mr. Ashe, by consent, reported from the Finance Committee, a substitute to House bill concerning the debt of the State: which was ordered to be printed.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. R. in favor of delinquent sheriffs; and

H. B. to make Reedy Creek Fork a lawful fence;

A message was sent transmitting them to the Senate for concurrence; also House amendments to Senate bill to provide for the collection of arrears of taxes in Jackson county.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to change the time of holding the Superior Courts in the several counties of the 3d Judicial District;

An act to amend an act to incorporate the Raleigh Fertilizing and Manufacturing Company, ratified 3d January, 1872;

An act to incorporate the Wilson Building and Loan Association;

Resolution in regard to the lease of the North Carolina Railroad; and

Resolution in favor of John M. Cloud, Judge of the 8th Judicial District; and they were ratified.

Mr. Ashe, from the Committee on Finance, reported unfavorably on Senate bill to allow County Commissioners to extend the time for collecting taxes;

On bill to re-enact an act ratified February 10th, 1871, to authorize sheriffs and tax collectors to collect arrears of taxes;

Favorably on resolution in favor of J. W. Cooper;

A substitute to bill to substitute new bonds for old ones paid during the war for internal improvements; which substitute was, on motion, ordered to be printed.

Mr. Welch, from the Committee on Internal Improvements, reported amendments to House bill to incorporate the Raleigh and Fayetteville Railroad Company.

On motion, the House adjourned.

MONDAY, JANUARY 8th, 1872.

The House met at 10 A. M., Mr. Robinson in the chair.

Prayer by Rev. Dr. Atkinson, of the city.

The Journal of Saturday was read and approved.

RECEPTION OF PETITIONS, MEMORIALS, &C.

By Mr. Brooks: A petition from citizens of Brunswick, against the sale of intoxicating liquors within five miles of Shallotte Church. On the table under the rules.

By Mr. Shull: A memorial from citizens of Watauga, asking amendment of bill amending the Caldwell and Watauga Turnpike charter. On the table under the rules.

By Mr. Justice: A petition from citizens of several counties,

asking the formation of a new county, to be named Jefferson. Referred to committee on propositions and grievances.

By Mr. Ashe: A petition from citizens, asking the re-lease of the W. C. & R. R. R. Read and referred to committee on internal improvements.

By Mr. Martin: A petition from citizens of Carteret county concerning the position of the county in the re-districting of the State. Referred.

REPORTS OF COMMITTEES.

Mr. Powell, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. B. to protect county commissioners from imprisonment; and

House amendments to Senate bill to amend the charter of the Western Railroad Company; and a message was sent transmitting them to the Senate and asking concurrence.

Mr. Sparrow read report from Select House Committee on the authenticity of a letter read to the House by George L. Mabson, a Representative from New Hanover, making charges against F. A. Strudwick, of the House; which report was, on motion, made special order for Thursday next at 11 A. M.

RESOLUTIONS INTRODUCED.

By Mr. Loftin: A resolution in favor of night sessions. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Gullick: A bill to authorize George W. McGee, sheriff of Gaston county, to collect arrears of taxes. Read and referred to committee on counties, towns, &c.

By Mr. Shull: A bill to amend an act entitled an act to

amend the charter of the Caldwell and Watauga Turnpike Company. Read and placed on the calendar by consent.

By Mr. Gregory: A bill to authorize the collection of taxes unpaid for the years 1870, 1869 and 1868, in the town of Williamston. Read and referred to the finance committee.

By Mr. Morris: A bill to authorize the levy of a special tax in Henderson county. Read and referred to the finance committee.

By Mr. Smith, of Anson: A bill to amend an act to restore and re-instate records of the courts destroyed during the late war. Read and referred to the judiciary committee.

By Mr. Lassiter: A bill to authorize L. F. Rush, sheriff of Randolph, to collect arrears of taxes. Read and referred to the finance committee.

By Mr. Martin: A bill to authorize the commissioners of Franklin county to convey certain land to the trustees of Trinity Church. Read and referred to the judiciary committee.

Mr. Ashe, by consent, introduced a petition asking for authority to regulate the sale of intoxicating liquors in townships. Read and referred to the committee on propositions and grievances.

By Mr. Johnston, of Buncombe: A resolution concerning adjournment. Read and placed on the calendar.

Mr. McNeill, by consent, reported from the committee on Propositions and Grievances, a substitute to House bill to prevent the sale of intoxicating liquors within two miles of Pleasant Plains Church in Columbus county.

Mr. Johnson, of Edgecombe was reported absent on account of sickness.

The calendar was taken up.

Mr. Welch in the chair.

The unfinished business being, motion to recede from House amendment to Senate bill to repeal an act to extend the corporate limits of the town of Rutherfordton, was taken up.

Mr. Jones, of Caldwell, moved to call the ayes and noes on the adoption of the motion.

The call was sustained, and the House consented to recede. Ayes 49; Noes 41.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Clinard, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gregory, Hampton, Henderson, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Tucker of Iredell, Waring, Withers, Woodhouse and York—49.

Noes—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Collis, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Gullick, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Jones of Northampton, Joyner of Johnston, Justice, Loftin, Lyon, Mabson, McAllister, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—41.

And a message was sent announcing the same to the Senate.

H. B. to abolish the office of Supreme Court Reporter and for other purposes, was taken up.

Mr. Justice called the ayes and noes on second reading of the bill.

The call was sustained, and the bill passed. Ayes 52; Noes 39.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Clinard, Currie, Dickey, Drake, Dunham, Furr, Gore, Gullick, Gregory, Henderson, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Martin, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford,

Stewart, Tucker of Iredell, Waring, Withers, Womack, Woodhouse and York—52.

Noes—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Grayson, Guyther, Harris of Franklin, Hargrove, Hardy, Houston, Jones of Northampton, Justice, Loftin, Luckey, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis, Wilcox and Williamson—39.

A motion to put the bill on its third reading did not prevail.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled,

An act to incorporate the Wilmington and Atlantic Steamship Company;

An act to incorporate Warren Lodge No. 101, F. & A. Masons, in the town of Kenansville;

An act to amend the charter of the town of Edenton in Chowan county;

An act to incorporate the Wateree Steamboat and Transportation Company;

An act to change the line between the counties of Mitchell and Yancey;

An act to incorporate St. Peter's Lodge, Council of Friends, No. 1, of the city of Newbern, N. C.;

An act to amend an act of proceedings in criminal cases, laws of 1868-'69; and

Resolution of instructions to the Public Treasurer. And the same were ratified.

Mr. Ashe, from the Finance Committee, reported a substitute to resolution of instructions to the Public Treasurer, in a bill to pay James S. Summersett and John Pittells each, the sum of fifty dollars for arms lost in the army.

A message was received from the Senate transmitting for concurrence Senate bill to amend chapter 20, section 15, acts

of special session of 1868. Read and referred to the judiciary committee.

S. B. to incorporate the town of Whitaker's, in the counties of Edgecombe and Nash. Read and referred to committee on corporations.

Senate amendments to House bill to validate the revisal of jury lists, and for other purposes. On calendar.

The use of the Hall of Representatives was tendered to the Agricultural Society for Thursday evening next.

Indefinite leave of absence was granted Mr. Darden on account of sickness in his family.

A message was received from the Senate transmitting and asking concurrence in Senate bill to incorporate the Jamestown Copper Company. Read and referred to committee on corporations.

S. B. to punish the obtaining of goods by false pretenses. Read and referred to the judiciary committee.

Mr. McAfee, by consent, introduced a bill to incorporate the Raleigh Female Seminary; which was read and referred to the committee on corporations.

The hour for the consideration of the special order having arrived, it was taken up, being House resolution to impeach George W. Logan, Judge of the 9th Judicial District, for mental incompetence to discharge the duties of his office.

After discussion by Messrs. Waring, Houston and Robinson, Mr. Withers called the previous question.

The call was not sustained.

After further discussion, Mr. Waring called the previous question.

The call was sustained and the resolution, under a call of the ayes and noes, failed of adoption. Ayes 23; Noes 83.

AYES—Messrs. Ashe, Broadfoot, Currie, Dunham, Gore, Gullick, Henderson, Houston, Jones of Caldwell, Kelly of Moore, Kincaid, Luckey, Martin, McAfee, McNeill, Mills, Regan, Scott, Smith of Anson, Sparrow, Standford, Strudwick and Waring—23.

NOES—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Dickey, Drake, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Goodwin, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelsey, Lassiter, Loftin, Lyon, Mabson, Marler, Maxwell McAllister, McCauley, Morris, Morgan of Montgomery, Morgan of Wake, Nicholson, Nisson, Page, Phillips, Paylor, Powell, Rankin, Reavis, Robbins, Robinson, Settle, Shull, Smith of Halifax, Smith of Wayne, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and York—83.

On motion, the House adjourned.

TUESDAY, JANUARY 9th, 1872.

The House met of 10 A. M., Mr. Johnston, of Buncombe, in the chair.

Prayer by Rev. Dr. Mason of the city.

The Journal of yesterday was read and approved.

Leaves of absence was granted Messrs. Mabson for one day, and to Justice until Monday next.

Mr. Johnson, of Edgecombe, was reported absent on account of sickness.

PETITIONS, MEMORIALS, &C.

By Mr. Brooks: A petition from citizens of the town of Smithville, with a bill to prevent the sale of spirituous liquors

within three miles of said town. Both, by consent, read and referred to committee on propositions and grievances.

By Mr. Sparrow: A petition from the liquor dealers in the town of Washington concerning tax on imported liquors. Laid on the table under the rules.

By Mr. Sparrow: A resolution of a meeting of some citizens of Washington town, multifarious in its requests, which Mr Dudley moved to receive, and called the ayes and noes on his motion; the call was sustained, and the motion did not prevail. Ayes 28; noes 55.

AYES—Messrs. Bean, Brown, Bryant of Halifax, Bunn, Collis, Copeland, Dudley, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Hargrove, Hardy, Heaton, Jones of Northampton, Lottin, Lyon, Morris, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven and Willis—28.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryson, Cawthorn, Carson, Clinard, Crawford, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hinnant, Johns, Jone of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kincaid, Lassiter, Luckey, Martin, Marler, Maxwell, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Tucker of Iredell, Welch, Wilcox, Womack, Woodhouse and York—55.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Committee on Judiciary, reported a bill to abolish the Code of Civil Procedure, and to enact a new Code.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. B. to be entitled an act to establish the dividing line between the counties of Wayne and Greene; and

H. B. to legalize the acts of the County Court of Alleghany, April term, 1868.

A message was sent transmitting them to the Senate for concurrence.

Mr. Kelsey, from the Committee on Counties, Towns, &c., reported favorably, with an amendment to House bill, to amend the charter of the town of Hickory Tavern.

Mr. Ashe, from the Committee on Finance, reported a substitute to House bill to authorize the Commissioners of Alleghany county to levy a special tax; and favorably, with amendments to

S. B. to be entitled an act to exchange stocks of the State for bonds with which such stocks were obtained, and for other purposes.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported favorably on House bill to incorporate the town of Cherryville, in Gaston County; and on

S. B. to exempt the members of certain fire companies of the city of Charlotte from public duties; and asked reference of House bill in favor of Michael Wood, Tax Collector of Goldsboro' Township, to the judiciary committee. It was so referred.

INTRODUCTION OF RESOLUTIONS.

By Mr. Goodwin: A resolution in regard to adjournment. Placed on the calendar.

By Mr. Martin: A resolution concerning absentees. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Dickey: A bill to amend an act to incorporate the Hiwassee and Peowah Turnkpike Company. Read and referred to the committee on internal improvements.

By Mr. McCauley: A bill to be entitled an act to authorize

the Commissioners of Union County to levy a special tax. Read and referred to committee on finance.

By Mr. Grayson: A bill to incorporate Catawba Vale in McDowell county. Read and referred to committee on counties, towns, &c.

By Mr. Wilcox: A bill to incorporate Helton Camp Ground, Ashe county. Read and referred to committee on corporations.

By Mr. Sykes: A bill to amend an act to incorporate The Land and Lumber Company of North Carolina. Read and referred to committee on corporations.

By Mr. Marler: A bill to be entitled an act in relation to bills of costs. Read and referred to the committee on the judiciary.

By Mr. Morgan, of Montgomery: A bill for the relief of P. C. Riley, sheriff of Montgomery county. Read and referred to the finance committe.

By Mr. Hampton: A bill to be entitled an act concerning the Poorhouse in Surry county. Read and referred to committee on corporations.

CALENDAR.

S. B. to authorize the Commissioners of Lincoln county to issue bonds was taken up, and passed third reading. Ayes 55; Noes 15;

Ayes—Messrs. Armstrong, Ashe, Atwater, Boooks, Bryson, Carson, Clinard, Collis, Copeland, Crawford, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Hargrove, Hardy, Heaton, Henderson, Houston, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincaid, Lyon, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Mitchell, Paylor, Powell, Reavis, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Strudwick, Waring, Womack, Woodhouse and York—55.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Bunn, Cawthorn, Currie, Dudley, Ellison, Guyther, Marler, Page, Smith of Halifax, Tucker of Iredell, Tucker of Craven and Williamson—15.

By consent, Mr. Kelsey, from the Committee on Counties, Towns, &c., reported favorably on Senate bill to amend the charter of the city of Newbern.

The hour for consideration of the special order, House bill to abolish the office of State Geologist, was taken up on third reading.

After discussion, Mr. Currie moved to lay the bill on the table, and the motion prevailed.

Mr. Speaker Jarvis presented a report of himself and Mr. President Warren of the Senate of their action under joint resolution of last session concerning appointment of Railroad Directors and State Proxies, which was, on motion, transmitted to the Senate with a proposition to print.

Mr. Jarvis then offered a resolution in favor of Wm. H. Battle and D. G. Fowle, which, under suspension of the rules, was considered, and passed second reading.

Mr. Faulkner called the ayes and noes on its third reading. The call was sustained, and the resolution passed third reading. Ayes 53; noes 38.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Crawford, Currie, Drake, Dunham, Ellison, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincaid, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Phillips, Paylor, Powell, Rankin, Regan, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Womack and Woodhouse—53.

Noes—Messrs. Anderson, Bean, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Bunn, Carson, Collis, Copeland, Dudley, Duckworth, Faulkner, Fletcher, Furr, Gambrel, Gar-

rison, Goodwin, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Loftin, Lyon, Morris, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis, Wilcox, Williamson and York—39.

The second special order, being Senate bill in relation to county officers, was taken up, and made special order for one week from to-day, at 11 A. M.

H. B. to be entitled an act concerning the public debt, was taken up and made special order for Friday next, at 11 A. M.

S. B. for exchanging stocks of the State for bonds, with which such stocks were obtained and for other purposes was taken up, and

On motion of Mr. Loftin, made special order for Thursday next, at 11½ A. M.

A message was received from the Senate transmitting for concurrence,

S. B. to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road and to build the same to the Tennessee line. Read and referred to committee on internal improvements.

S. B. to ratify sales of real estate for partition, which have been irregularly made. Read and referred to committee on judiciary.

Senate amendments to House bill to incorporate the Charlotte and Taylorsville Railroad Company.

The amendments were concurred in, and the bill ordered enrolled.

S. B. to amend chapter 35, section 32, of the Revised Code of North Carolina was taken up, and passed second and third readings and ordered enrolled.

H. B. to be entitled an act in relation to writ of *mandamus* was, on motion of Mr. Kelsey, taken up.

The substitute reported by the Judiciary Committee was adopted, passed second and third readings, and ordered engrossed.

On motion of Mr. Powell, House resolution in favor of Thomas H. Abrams, night watchman, was taken up, passed second and third readings and ordered engrossed.

H. B. to be entitled an act to authorize the Western Railroad Company to open the navigation of the waters of lower Little River was, on motion of Mr. Currie, taken up, passed second and third readings and ordered engrossed.

On motion of Mr. Ashe, House bill 154, to amend chapter 131, of Code of Civil Procedure, was taken up and passed second reading.

Mr. McAllister, from the Committee on Engrossed Bills, reported as correctly engrossed,

H. R. in favor of W. H. Battle and D. G. Fowle; and a message was sent transmitting the same to the Senate, with report of Mr. Speaker Jarvis and President Warren concerning their action in reference to State directors and proxies.

S. B. to incorporate the Farmers' and Mechanics' Association was taken up, passed second third readings and ordered enrolled.

H. B to allow the Commissioners of Burke and other counties to consolidate the debts of their respective counties was taken up, and on motion of Mr. Mills, referred to the committee on judiciary.

H. B. to incorporate the town of Boone was taken up, passed second and third readings and ordered engrossed.

On motion of Mr. Loftin, his resolution in favor of night sessions was taken up.

A motion was made to lay the resolution on the table.

Mr. Loftin called the ayes and noes on the motion.

The call was sustained and it did not prevail. Ayes 39; Noes 53.

Ayes—Messrs. Brown, Bunn, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Goodwin, Harris of Guilford, Harris of Franklin, Hargrove, Heaton, Johnson of Edgecombe, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincaid, Lassiter, Martin, McAfee, McCauley,

McNeill, Morgan of Montgomery, Morgan of Wake, Mills, Nisson, Page, Reavis, Regan, Smith of Halifax, Strudwick, Sykes, Tucker of Craven, Willis, Wilcox, Woodhouse and Williamson—39.

NOES—Messrs. Anderson, Atwater, Brooks, Bryson, Carson Clinard, Collis, Copeland, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Hardy, Houston, Hinnant, Johns, Jones of Caldwell, Jordan, Kelly of Moore, Loftin, Luckey, Marler, McAllister, Mitchell, Nicholson, Paylor, Powell, Rankin, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Womack and York—53.

Mr. Wilcox moved to adjourn.

Mr. Shull called the ayes and noes, and the motion did not prevail. Ayes 26; Noes 67.

AYES—Messrs. Cawthorn, Carson, Crawford, Dudley, Ellison, Harris of Franklin, Hargrove, Heaton, Henderson, Johnson of Edgecombe, Jones of Northampton, Kelly of Davie, Kelly of Moore, Martin, McAfee, Morgan of Wake, Mills, Mitchell, Page, Reavis, Settle, Stewart, Tucker of Craven, Willis, Wilcox and Williamson—26.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Brown, Bryson, Clinard, Collis, Copeland, Dickey, Drake, Dunham, Faulkner, Furr, Gambrel, Garrison, Goodwin, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hardy, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Marler, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Nicholson, Nisson, Paylor, Powell, Rankin, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Welch, Withers, Womack, Woodhouse and York—67.

Mr. Sykes moved to postpone further consideration until Thursday, 18th instant; which did not prevail.

Mr. Dudley, to postpone until Saturday next; which did not prevail.

Mr. Nicholson offered a substitute, providing for two sessions daily.

Mr. Martin moved to lay the resolution on the table; and called the ayes and noes.

The call was sustained, and the motion did not prevail. Ayes 32; Noes 54.

Ayes—Messrs. Bean, Brown, Bryant of Halifax, Bunn, Cawthorn, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hargrove, Heaton, Johnson of Edgecombe, Jones of Northampton, Jordan, Kelly of Davie, Martin, Morgan of Wake, Mills, Nisson, Page, Reavis, Robbins, Scott, Sparrow, Strudwick, Tucker of Craven, Willis and Williamson—32.

Noes—Messrs. Anderson, Armstrong, Brooks, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Shull, Smith of Anson, Smith of Wayne, Stanford, Tucker of Iredell, Welch, Withers, Womack, Woodhouse and York—54.

Mr. Loftin called the previous question, which was ordered, and the substitute of Mr. Nicholson was not adopted; and,

Under a call for the ayes and noes, by Mr. Loftin, the resolution was adopted. Ayes 59; Noes 28.

Ayes—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryson, Clinard, Copeland, Dickey, Drake, Dunham, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Marler, Maxwell, McAllister, McCauley, Morris,

Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Welch, Withers, Willis, Womack, Woodhouse and York—59.

NOES—Messrs. Ashe, Cawthorn, Collis, Currie, Dudley, Ellison, Faulkner, Goodwin, Harris of Franklin, Hargrove, Heaton, Johnson of Edgecombe, Jones of Northampton, Jordan, Kelly of Davie, McAfee, Morgan of Wake, Mills, Nisson, Page, Reavis, Robbins, Scott, Smith of Halifax, Sparrow, Sykes, Tucker of Iredell and Williamson—28.

Mr. Jones, of Caldwell, moved to re-consider the vote just taken, and the motion prevailed.

Mr. Ashe, by consent, introduced a bill to amend an act to provide for limited partnerships, ratified February, 1861. Read and referred to the judiciary committee.

Also, a bill to provide for the economical completion of the Penitentiary. Read and referred to committee on penal institutions.

Mr. Strudwick moved an amendment to the resolution concerning night sessions.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills, which were ratified :

An act to prohibit the sale of spirituous liquors within two miles of Sylvan Academy and Cane Creek Church ;

An act to erect a toll gate between Franklin, North Carolina, and Clayton, Georgia;

An act to repeal an act entitled an act to extend the corporate limits of the town of Rutherfordton, and for other purposes ;

An act to provide for the collection of arrears of taxes in Jackson county ; and

An act to incorporate the Wilmington Library Association.

A message was sent announcing to the Senate that the House has concurred in the request to appoint a committee of conference on House bill to provide for the collection of taxes by the State and the several Counties on property, and

that Messrs. Ashe, Guyther, McAllister, Stanford and Morris are designated as House branch of said committee;

Announcing also that the House has concurred in Senate amendments to House amendments to Senate resolution concerning the lease of the North Carolina Railroad, and that Messrs. Withers, Broadfoot, Hargrove, Strudwick and Tucker, of Iredell, were appointed House branch of the committee required by the resolution.

On motion, the House adjourned.

WEDNESDAY, JANUARY 10th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

RESOLUTIONS.

By Mr. Smith, of Anson: A resolution in favor of G. W. Willoughby and G. B. Threadgill, late sheriffs. Read and referred to committee on counties, towns, &c.

BILLS.

By Mr. McCauley: A bill to be entitled an act in relation to appeals. Read and referred to the judiciary committee.

By Mr. Scott: A bill to incorporate the New River Canal Company. Read and referred to the committee on internal improvements.

By Mr. Womack: A bill to repeal an act to incorporate the North Carolina Beneficial Association. Read and referred to committee on corporations.

By Mr. Johnston, of Buncombe: A bill for the relief of A. E.

Wells, of Buncombe county. Read and referred to the committee on judiciary.

By Mr. Brooks: A bill to prevent the sale of spirituous liquors within three miles of Shallott Camp Ground. Read and referred to committee on propositions and grievances.

CALENDAR.

The unfinished business was taken up, being resolution regarding night sessions.

The question being on the adoption of Mr. Strudwick's amendment, it was adopted.

Mr. Martin moved to lay the resolution on the table.

Mr. Houston called the ayes and noes on the motion.

The call was sustained and the motion did not prevail. Ayes 43; Noes 46.

AYES—Messrs. Armstrong, Bean, Brown, Bryant of Halifax, Bunn, Cawthorn, Collis, Copeland, Crawford, Currie, Dudley, Ellison, Fletcher, Gambrel, Guyther, Harris of Guilford, Hargrove, Heaton, Henderson, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Davie, Luckey, Lyon, Martin, McAfee, Morgan of Wake, Mills, Newsome, Nisson, Page, Reavis, Regan, Robbins, Scott, Smith of Halifax, Tucker of Craven, Waring, Willis, Wilcox, Woodhouse and Williamson—43.

NOES—Messrs. Anderson, Atwater, Brooks, Broadfoot, Bryson, Carson, Clinard, Dickey, Drake, Dunham, Furr, Garrison, Gore, Gullick, Grayson, Hampton, Hardy, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Marler, Maxwell, Morris, Morgan of Montgomery, Mitchell, Nicholson, Paylor, Powell, Rankin, Robinson, Settle, Smith of Anson, Smith of Wayne, Stanford, Tucker of Iredell, Welch, Withers, Womack and York—46.

Mr. Rankin called the ayes and noes on the passage of the resolution.

Mr. Broadfoot, from the Committee on Corporations, by consent, reported favorably on House bill to authorize the construction of a toll bridge across the Cape Fear, at Lillington, in Harnett county;

On House bill to incorporate the Davidson High School, in Davidson county;

On House bill to incorporate the Wilson Collegiate Institute, and

On Senate bill to be entitled an act to incorporate a Bank in the city of Newbern;

When the hour for the consideration of the special order having arrived, it was taken up, being Senate bill to alter the Constitution of the State of North Carolina, the question being on Mr. Mills' amendment, making Judges of the Superior and Supreme Courts to hold their offices during good behavior.

Mr. Houston moved to amend, striking out the part of the bill relating to the judiciary, and inserting a substitute. The General Assembly shall, by joint ballot of both Houses, appoint Judges of the Supreme and Superior Courts of Law and of Equity, Judges of Admiralty and Attorney General, who shall be commissioned by the Governor, and hold their offices during good behavior.

Mr. Mills, by consent, withdrew his amendment.

The question being on the amendment of Mr. Waring, which, by consent of the House, had been re-written, "to insert in line 97 of printed bill, after the word electors, 'The Judges shall hold their offices during good behavior, and the other officers authorized by this constitution.'" It was not adopted.

Mr. McAfee moved to amend by inserting that the Judges of the Supreme and Superior Courts shall be elected by the General Assembly, and shall hold their offices for twelve years, unless removed by law.

The amendment did not prevail.

Mr. Ashe moved an amendment to strike out and insert from line 91; which did not prevail.

The question recurring on the amendment of Mr. Houston, it was not adopted.

A message was sent transmitting to the Senate for concurrence the following bills and resolution, reported by Mr. Powell as correctly engrossed:

H. R. in favor of Thomas H. Abrams;

House amendments to Senate bill to authorize the Commissioners of Lincoln county to issue bonds; and

H. B. to be entitled an act in relation to the writ of *mandamus*.

Mr. Ashe moved to amend the bill under consideration by striking out in line 170 of printed bill from the words "amend section 10" down to the words "shall be cared for at the charge of the State" in line 177, inclusive.

The amendment did not prevail.

Mr. Martin moved to amend by striking out of the printed bill all after line 17, leaving the clauses relating to the State debt, biennial sessions of the General Assembly, and the taking of State census.

The amendment did not prevail.

Mr. McAfee, to amend by inserting after the word "University" "and the General Assembly shall also have power to provide for the sale of the properity of said University and the investment of the proceeds of said sale as a permanent fund for common schools."

The amendment did not prevail.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to incorporate the Farmers' and Mechanics' Association;

An act to amend the 32d section of chapter 35 of the Revised Code; and

An act to amend the charter of the Western Railroad Company; and they were ratified.

Mr. Powell, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to authorize the Western Railroad Company to open the navigation of the waters of lower Little River; and it was sent with a message to the Senate.

A message was received from the Senate, transmitting for concurrence of the House:

S. B. to incorporate the Old North State Insurance Company. Read and referred to committee on corporations;

S. B. supplemental to an act to incorporate the Elizabeth City and Norfolk Railroad Company. Read and referred to committee on internal improvements;

S. B. to be entitled an act to incorporate the Bank of New Hanover. Read and referred to committee on corporations;

S. B. supplementary to an act in relation to the Lunatic Asylum, ratified 9th of March, A. D. 1869, being chapter 67, laws of 1868–'69. Read and placed on the calendar.

Mr. Ashe moved to reconsider the vote by which Senate bill to exchange stocks of the State for bonds, &c., was made a special order.

The motion prevailed, and on motion of the same, the bill was made the special order for Monday next at 11 A. M., and ordered printed.

On motion, the House adjourned.

THURSDAY, JANUARY 11th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Dr. Mason, of the city.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported

favorably on Senate bill to incorporate the Old North State Insurance Company, and

On H. B. to repeal an act to incorporate the North Carolina Beneficial Association, ratified March 28th, 1870, and

On S. B. to incorporate the bank of New Hanover.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported, asking discharge from further consideration of House bill to authorize George W. McGee, sheriff of Gaston, to collect arrears of taxes, and

Amendments to House bill concerning the Poorhouse in Surry county, and to

H. R. in favor of G. W. Willoughby and G. B. Threadgill, late sheriffs, &c.

Mr. Harris, of Guilford, from the Committee on Penal Institutions, reported favorably on House bill for the economical completion of the Penitentiary.

Mr. Maxwell, from the Committee on Propositions and Grievances, reported amendments to House bill to be entitled an act to amend the charter of the town of Salem.

Mr. Ashe, from the Committee on Finance, reported a substitute to House resolution instructing the Public Treasurer to pay James J. Summersett, a disabled soldier, $50 commutation for an arm lost in the service.

BILLS INTRODUCED.

By Mr. Mills: A bill to be entitled an act for the benefit of the Deaf, Dumb and Blind Asylum. Read and placed on the calendar.

By Mr. Hinnant: A bill to allow Simon Godwin to collect arrears of taxes. Read and referred to committee on counties, towns, &c.

Mr. Welch, by consent, reported from the Committee on Internal Improvements, an amendment to House bill to be entitled an act to charter the Carolina Narrow Guage Railroad Company.

CALENDAR.

Mr. Currie moved to postpone consideration of the unfinished business, to consider Senate bill to incorporate the Bank of New Hanover.

The motion prevailed.

The bill was taken up, and passed second and third readings and ordered enrolled.

On motion of Mr. McAfee, the unfinished business was further postponed, and

H. B. to charter the Oak City Savings Bank, of Raleigh, was taken up, passed second and third readings and ordered engrossed.

Mr. Luckey, by consent, introduced a bill to change the time for holding the annual meeting of the Board of Directors of the Insane Asylum; which was read and placed on the calendar.

Mr. Mabson moved to postpone further consideration of the unfinished business to take up the special order for the hour.

The motion did not prevail, and the unfinished business was taken up, (Senate bill to alter the Constitution of the State)

Mr. Lyon moved to amend by inserting "no new county formed by this Legislature or any succeeding Legislature, shall be entitled to representation, unless such county shall contain the 120th part of the population of the State."

The amendment was not adopted.

Mr. York moved to amend, striking out "$300" in line 20, (pay for members of General Assembly,) and insert "$3 *per diem*."

The amendment did not prevail.

By consent, Mr. Waring introduced a memorial from citizens of Mecklenburg, favoring a release of the Wilmington, Charlotte and Rutherford Railroad; which was read and referred to committee on internal improvements.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to incorporate the Charlotte and Taylorsville Railroad Company; and it was ratified.

Mr. Robinson in the chair.

The bill to alter the Constitution of the State was discussed at length.

Mr. Brown offered a substitute.

Mr. Johnston, of Buncombe, called the previous question.

On which the ayes and noes were called, and the question was not ordered. Ayes 47; Noes 54.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Bryson, Clinard, Crawford, Dickey, Drake, Duckworth, Furr, Gore, Gregory, Hampton, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Martin, Maxwell, McAfee, McAllister, Mitchell, Nicholson, Paylor, Rankin, Scott, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Withers, Wilcox, Woodhouse and York—47.

NOES—Messrs. Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Collis, Copeland, Currie, Dudley, Dunham, Ellison, Faulkner, Fletcher, Gambrel, Garrison, Gatling, Goodwin, Gullick, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Marler, McNeill, Morgan of Montgomery, Morgan of Wake, Mills, Newsom, Nisson, Page, Powell, Reavis, Regan, Robbins, Robinson, Shull, Smith of Halifax, Strudwick, Sykes, Tucker of Craven, Willis, Womack and Williamson—54.

Mr. Heaton moved to postpone further consideration till tomorrow at 12 A. M. Lost.

The question recurring on the substitute offered by Mr. Brown, "to amend the Constitution so that the General Assembly shall meet biennially instead of annually." the ayes

and noes were called on its adoption, and it was not adopted. Ayes 36; noes 65.

Ayes—Messrs. Bean, Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven, Willis and Williamson—36.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—65.

The ayes and noes were called on the second reading of the bill, and it passed. Ayes 75; Noes 31.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Bryson, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart,

Strudwick, Sykes, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Williamson and York—75.

Noes—Messrs. Brown, Bryant of Halifax, Bryan of Jones Bunn, Collis, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven and Willis—31.

Mr. Jones, of Caldwell, by consent, introduced a resolution of instructions to the Attorney General concerning lease of the North Carolina Railroad. Read and, by request, placed on the calendar.

Mr. Waring: A bill to incorporate the Charlotte Hotel Company. Read and referred to committee on corporations.

Mr. Scott: A bill in favor of E. Murrell, sheriff of Onslow county. Read and referred to committee on finance.

Leaves of absence were granted Messrs. Morris for one day, Fisher for one week, and Williamson for three days.

On motion the House adjourned.

FRIDAY, January 12th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

MEMORIALS, PETITIONS, &C., PRESENTED.

By Mr. Martin: A memorial from citizens of Carteret county concerning the position of the county in the re-districting of the State. Read and referred to joint committee on re-districting the State.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Committee on the Judiciary, reported favorably on House bill for the relief of A. E. Wells, of Buncombe county; on

H. B. to amend an act to restore and reinstate records of the several courts destroyed during the war; on

Bill to amend an act to provide for limited partnerships, ratified Februay, 1861; on

H. B. for the relief of the owners of property seized by virtue of a search warrant, &c.; on

H. B. to change the time of holding the courts in the 10th and 11th Judicial Districts; on

S. B to ratify sales of real estate for partition which have been irregularly made; on

S. B. to punish the obtaining of goods by false pretences; on

H. B. in regard to costs; on

H. B. to authorize the Commissioners of Franklin county to convey to Trinity Church certain lands;

A substitute to House bill (55) for the protection of the interests of the policy holders in the State; and to

S. B. to provide for the service of process issuing from courts of Justices of the Peace where defendants reside out of the county where the action is brought; and unfavorably on

H. B. in relation to appeals, and on House bill to change the time of holding the Superior Courts in Nash and Halifax counties; and favorably on

H. B. to allow the Commissioners of Burke and other counties to consolidate the debts of their respective counties.

Mr. Standford, from the Committee on Finance, reported favorably on House bill in favor of E. Murrell, Sheriff of Onslow.

Mr. Ashe, from the same Committee, reported favorably on

H. R. in favor of T. S. Siler and J. M. Lyle, executors of Jacob Siler, deceased;

A substitute to House resolution in favor of T. F. Baxter, Sheriff of Currituck county;

Unfavorably on House bill in favor of Michael Wood, Tax Collector of Goldsboro' Township;

Favorably on House bill to authorize the Commissioners of Union county to levy a special tax; and on

H. B. to provide for the levy of a special tax in Henderson county; unfavorably on

H. B. for relief of P. C. Riley, sheriff of Montgomery county; and on

H. B. to authorize Z. F. Rush, former sheriff of Randolph, to collect arrears of taxes.

Mr. Tucker, from the Judiciary Committee, reported unfavorably on House bill to amend sections 301, 303, Code of Civil Procedure; and on

H. B. to amend the Code of Civil Procedure in relation to appeals.

Mr. Tucker, from the Joint Committee on Contingent Expenses, reported favorably on House resolution in favor of servants employed by this General Assembly.

Mr. McAllister, from the Committee of Conference on House blll to provide for the collection of taxes by the State and the several counties on property, made a report.

BILLS INTRODUCED.

By Mr. Waring: A bill to incorporate the Hornet Fire Company of the city of Charlotte. Read and referred to committee on corporations.

By Mr. Withers: A bill to be entitled an act to amend an act in relation to fees, &c. Read and placed on the calendar.

By Mr. Wilcox: A bill to lay out and construct a road form Jefferson to the mouth of Phœnix Creek, in Ashe county. Read and referred to the committee on internal improvements.

By Mr. Jones, of Caldwell: A bill to be entitled an act to

prevent the sale of spirituous liquors within three miles of the town of Lenoir. Read and referred to committee on propositions and grievances.

A message was received from the Senate transmitting a substitute by the Senate to House bill to change the line between Piney Creek and Hilton townships, &c , which substitute was, on motion, concurred in ; and Senate amendments to House bill to incorporate the village of Excelsior in Burke county ; which was concurred in.

CALENDAR.

H. B. to incorporate the Raleigh Female Seminary was, on motion of Mr. McAfee, taken up, passed second and third readings and ordered engrossed.

H. B. to incorporate Davidson High School, near Teaugtown, in Davidson county, was taken up, passed second and third readings and ordered engrossed.

H. B. to be entitled an act in favor of E. Murrell, sheriff of Onslow county, was taken up, passed second and third readings and ordered engrossed.

S. B. to be entitled an act supplemental to an act in relation to the insane asylum, ratified 9th March, 1869, being chapter 67, laws of 1868-'69, was taken up, passed second and third readings and ordered enrolled.

On motion, the report of Mr. McAllister, from Committee of Conference on H. B. to provide for the collection of taxes by the State and the several counties, on property, was taken up and adopted, and a message was sent announcing the same to the Senate.

Mr. Robinson from the Committee on Enrolled Bills, reported as correctly enrolled ;

An act to incorporate the Pioneer Steamboat and Transportation Company ;

An act to amend an act authorizing the commissioners of Cleaveland county to issue bonds, and

An act to incorporate the bank of New Hanover; and they were ratified.

H. B. to be entitled an act to incorporate the Fayetteville Road Steam Company, was taken up and passed second and third readings and ordered engrossed.

H. B. to authorize the commissioners of Burke and other counties to consolidate the debts of their respective counties, was taken up and passed second and third readings, and ordered engrossed.

On motion of Mr. Johnston, of Buncombe, the consideration of the special order was postponed, and Senate bill to alter the Constitution of the State of North Carolina was taken up.

Mr. Sparrow moved to make the bill special order for Wednesday next, at 11 A. M., and called the previous question on his motion; the main question was ordered and the motion prevailed; when, by consent,

Mr. Luckey introduced a resolution requiring the attendance of members on Wednesday next.

The rules were suspended, and the resolution was taken under consideration.

Mr. Dudley moved to lay it on the table.

Mr. Luckey called the previous question on the passage of the resolution.

Mr. Dudley called the ayes and noes on the call for the previous question.

The call was sustained, and the main question was ordered. Ayes 60; Noes 29.

AYES—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Brown, Bryson, Clinard, Collis, Crawford, Currie, Dickey, Duckworth, Dunham, Furr, Gambrel, Garrison, Gore, Grayson, Hardy, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell,

Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and York—60.

NOES—Messrs. Bean, Bryant of Halifax, Bryan of Jones, Bunn, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Gregory, Guyther, Harris of Franklin, Hargrove, Heaton, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Wake, Newsome, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, and Willis—29.

The motion to table did not prevail, and the resolution was adopted.

On motion of Mr. Bryson, the special order was further postponed, and by consent he introduced a bill to be entitled an act to aid in the completion of the Western Division of Western North Carolina Railroad; which was read and referred to committee on internal improvements.

A message was received from the Senate transmitting for concurrence :

S. B. to incorporate, in the city of Wilmington, the Cape Fear Towing and Atlantic Coast Wrecking Company. Read and referred to committee on corporations;

S. B. to amend chapter 233, laws of 1870–'71. Read and referred to judiciary committee;

S. B. to incorporate the Greenville and French Broad Railroad Company. Read and referred to committee on internal improvements;

S. R. in favor of Wm. H. Hamilton. Read and referred to committee on finance; and

Senate amendments to House bill to amend the Code of Civil Procedure in relation to executions, &c.

The special order (being House bill concerning the debt of the State) was taken up.

Mr. Gregory moved to postpone consideration till Tuesday next at 11, A. M.

Mr. York to table the bill. The motion to table did not prevail, and the motion to postpone did prevail.

On motion, House bill to abolish the office of Supreme Court Reporter, and for other purposes, was taken up.

Mr. Dudley moved to postpone consideration indefinitely, which did not prevail.

Mr. Dudley called the ayes and noes on the passage of the bill. Pending further action on the motion, leaves of absence were granted Messrs. Faulkner and Bunn for two days, and Mr. Mills for one day.

On motion the House adjourned.

SATURDAY, JANUARY 13th, 1872.

The House met at 10 o'clock, A. M., Mr. Robinson in the chair.

Prayer by the Rev. Mr. Grayson, of the House.

Journal of yesterday was read and approved.

Leaves of absence were granted Messrs. Lyon, Dudley, Hargrove and Sykes, for one day; Messrs. Martin and Stewart, for two days.

Mr. Young, of Wake, was reported absent on account of sickness.

Mr. Cawthorn arose to a question of privilege, censuring in strong terms, an article in a Norfolk newspaper refering to this House of Representatives.

RECEPTION OF MEMORIALS, &C.

By Mr. Newsom: A petition from citizens of Hertford county against the sale of intoxicating liquors within five miles of the town of Murfreesboro'. Read and referred to committee on propositions and grievances.

By the same: A petition from the citizens of Murfreesboro',

protesting against the action of the Legislature in favor of the petition just presented. On the table under the rules.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judiciary Committee, reported unfavorably on House bill in relation to dower, and on Senate bill to deprive and limit the rights and powers of *femes covert* with regard to contracts.

Mr. McNeill, from Committee on Propositions and Grievances, reported a substitute to House bill to prohibit the sale of intoxicating liquors within three miles of Shallotte Camp Ground, in Brunswick county; and to House bill to prevent the sale of spirituous liquors within three miles of a Methodist Church at Shallotte in Brunswick county; and unfavorably on House bill to prevent the sale of spirituous liquors within three miles of the town of Lenoir.

INTRODUCTION OF RESOLUTIONS.

By Mr. Carson: A resolution in regard to adjournment. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. McNeill: A bill in relation to sales of lands by tax collectors. Read and referred to the committee on the judiciary.

Mr. Welch, by consent, reported from the Committee on Internal Improvements, favorably on

H. B. to incorporate the New River Canal Company;

H. B. to amend an act to incorporate the Hiwassee and Cheoah Turnpike Company;

S. B. supplemental to an act to incorporate the Elizabeth City and Norfolk Railroad Company; and

S. B. to incorporate the Greenville and French Broad Railroad Company.

CALENDAR.

On motion of Mr. Gambrel, the consideration of the unfinished business was postponed, and House bill to authorize the commissioners of Alleghany county to levy a special tax, was taken up and passed its second reading. Ayes 71 ; noes 1.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Bryson, Cawthorn, Carson, Clinard, Collis, Copeland, Dickey, Duckworth, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Heaton, Houston, Johnston of Buncombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Lassiter, Loftin, Luckey, Marler McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsome, Nicholson, Nisson, Paylor, Regan, Robbins, Robinson, Scott, Shull, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Sykes, Tucker of Iredell, Willis, Wilcox, Womack, Woodhouse and York—71.

NOES—Mr. Johnson, of Edgecombe.

H. R. of instructions to the Attorney General concerning lease of the North Carolina Railroad was, on motion of Mr. Jones, of Caldwell, taken up and made special order for Tuesday, 17th inst.

H. B. to allow the commissioners of Robeson county to adjust and pay off the indebtedness of the county, was, on motion of Mr. McNeill, taken up, passed second and third readings and ordered engrossed.

The unfinished business was then taken up, being the call for the ayes and noes on third reading of House bill to abolish the office of Supreme Court Reporter, and for other purposes.

Mr. Wilcox moved to lay the bill on the table, which, under a call of the ayes and noes, prevailed. Ayes 41; Noes 39.

Ayes.—Messrs. Bean, Brooks, Bryan of Jones, Cawthorn, Collis, Copeland, Ellison, Fletcher, Garrison, Gatling, Goodwin, Gullick, Guyther, Hampton, Harris of Guilford, Hardy, Heaton, Henderson, Houston, Johnson of Edgecombe, Kelly of Moore, Loftin, Luckey, Marler, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Morgan of Wake, Nisson, Regan, Robbins, Scott, Shull, Smith of Anson, Smith of Halifax, Sykes, Tucker of Craven, Willis and Wilcox—41.

Noes.—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Carson, Clinard, Currie, Dickey, Drake, Dunham, Gore, Grayson, Gregory, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Kincaid, Lassiter, Morris, Mitchell, Nicholson, Paylor, Rankin, Robinson, Settle, Smith of Wayne, Stanford, Strudwick, Tucker of Iredell, Welch, Withers, Woodhouse and York—39.

S. B. to amend an act to incorporate the Greenville and French Broad Railroad Company, was taken up and, on motion of Mr. Johnston, of Buncombe, passed second and third readings and ordered enrolled.

Mr. Currie, from Committee on Enrolled Bills, reported as correctly enrolled the following bills:

An act to authorize the Commissioners of Lincoln county to issue bonds;

An act to amend section 15, chapter 20, of the acts of the special session, 1868;

An act for the relief of such persons as have suffered from loss of records in Clay county;

An act supplementary to an act in relation to the Lunatic Asylum, being chapter 67, laws of 1868–'69;

An act to incorporate the village of Excelsior in the county of Burke; and they were ratified.

Mr. Kincaid from Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to incorporate Rocky Mount College;

H. B. to incorporate the town of Boon, and

H. B. to be entitled an act to provide for the laying off and construction of a public highway in the counties of Burke and Mitchell, and a message was sent to the Senate transmitting the same for concurrence.

A message was received from the Senate transmitting for concurrence of the House:

S. B. to incorporate the Brevard and Waynsville Turnpike Company. Read and referred to committee on internal improvements;

S. B. to amend section 8, chapter 44, of the Revised Code, entitled evidence. Read and referred to the judiciary committee;

S. R. in relation to refunding tax on raw cotton by the United States. Read and referred to committee on finance;

S. B. in regard to delinquent sheriffs and tax collectors, and to validate certain acts of the Public Treasurer. Read and referred to committee on finance;

S. B. to incorporate the Hollywood Cemetery. Read and referred to committee on corporations;

S. B. to incorporate the Thompson Institute. Read and referred to committee on corporations;

S. B. to change Sampson county from the 4th to the 5th judicial district. Read and referred to the committee on judiciary; and

Engrossed amendments to House bill to incorporate the Dawson Bank; which amendments were, on motions of Mr. Ashe, amended and, as amended, adopted.

On motion of Mr. Stanford, House resolution in favor of James S. Summersett and John Pittells, instructing the Public Treasurer to pay each the sum of $50.00 for arms lost in the service, was taken up, and the substitute reported by the committee was adopted and passed second reading.

On motion of Mr. Goodwin, the name of Archer Holt was

added, and the resolution passed third reading and ordered engrossed.

Mr. McAllister, from the Committee on Engrossed Bills, reported as correctly engrossed :

H. B. to be entitled an act to incorporate the Raleigh Female Seminary ; and a message was sent transmitting the same to the Senate for concurrence.

On motion of Mr. Nisson, House bill to amend an act to incorporate the town of Salem was taken up, passed second and third readings and ordered engrossed.

By consent, Mr. Jones, of Caldwell, introduced a bill to provide for the sale of certain lands in and around the city of Raleigh. Read and referred to the committee on public buildings and grounds.

By Mr. Womack : A bill to incorporate the town of Locksville. Read and referred to committee on corporations.

On motion of Mr. Welch, House bill to aid in the completion of the Western Division of the Western North Carolina Railroad was taken up.

On motion of Mr. Kelsey, the bill was amended.

Mr. Johnston, of Buncombe, moved to amend by inserting after the words "following the main trunk line in the direction of Murphy, North Carolina," the words "and the French Broad Branch of said Road from Asheville to the Tennessee line equally;" which did not prevail, and the bill passed second reading.

On motion of Mr. Bryson, the bill was put on third reading.

Mr. Houston moved to postpone further consideration till Monday at 11, A. M. ; the motion did not prevail, and the bill passed third reading and ordered engrossed.

By consent, Mr. Bean introduced a bill with a petition from citizens, against the sale of liquors in Randolph county, except by permission of the commissioners, who by the bill are empowered to grant license to retail.

The bill was read and referred to committee on propositions and grievances.

H. B. to repeal an act to incorporate the North Carolina Benficial Association, was taken up and passed second and third readings and ordered engrossed.

H. R. in favor of Daniel Latta, was taken up, passed second and third readings and ordered engrossed.

H. B. to amend an act entitled an act in relation to fees, &c., was taken up.

On motion of Mr. Sparrow, the bill was referred to the judiciary committee.

H. B. to incorporate the Murphy and Tennessee Turnpike Company, was taken up, passed second and third readings and ordered engrossed.

H. B. to incorporate Prospect Lodge, No. 11, F. and A. Masons, was taken up, passed second and third readings and ordered engrossed.

A message was received from the Senate transmitting for concurrence, House bill to be entitled an act supplemental to an act to amend the charter of the North Western North Carolina Railroad Company, &c., which was read and placed on the calendar.

On motion of Mr. Rankin, the rules were suspended and the bill passed second and third readings and ordered enrolled.

H. B. for the relief of A. E. Wells, of Buncombe county, was taken up, passed second and third readings and ordered engrossed.

It was announced that Mr. Welch would call the House to order on Monday morning.

On motion, the House adjourned.

MONDAY, JANUARY 15th, 1872.

The House met at 10, A. M., Mr. Welch in the Chair.

Prayer by Rev. Dr. Atkinson, of the city.

The Journal of Saturday was read and approved.

PETITIONS, MEMORIALS, &C., RECEIVED.

By Mr. Morris, a petition from citizens in favor of the formation of a new county, to be named Badger. Read and referred to committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported an amendment to House resolution in favor of G. W. Willoughby and Geo. B. Threadgill, authorizing them to collect arrears of taxes, and to House bill to incorporate the town of Catawba Vale, in McDowell county.

INTRODUCTION OF RESOLUTIONS.

By Mr. McNeill: A resolution of instructions to the judiciary committee concerning Robeson county outlaws. Read and placed on calendar.

By Mr. Kincaid: A resolution in relation to the calendar. Placed on the calendar.

By Mr. Mitchell: A resolution concerning night sessions. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Gambrel: A bill to legalize acts of George D. Reynolds, entry taker for lands for Alleghany county. Read and referred to committee on counties, towns, &c.

By Mr. Regan: A bill to prohibit the sale of spirituous liquors near Ashepole Baptist church, in Robeson county. Read and referred to committee on corporations.

By Mr. Stanford: A bill to prevent the sale of intoxicating liquors within one mile of Island Creek Academy, Duplin

county. Read and referred to committee on propositions and grievances.

By Mr. Gambrel: A bill to change the line between Ashe and Alleghany counties. Read and referred to committee on counties, towns, &c.

By Mr. Nicholson: A bill to repeal an act to amend the charter of the Atlantic, Tennessee and Ohio Railroad Company. Read and referred to committee on internal improvements.

CALENDAR.

H. R. of instructions to the judiciary committee concerning Robeson county outlaws was taken up and adopted.

H. R. in favor of G. W. Willoughby and G. B. Threadgill was taken up, and amendment reported by the committee was adopted, and passed second and third readings and ordered engrossed.

H. R. in favor of J. W. Cooper, was taken up, and under a call for the ayes and noes passed second reading. Ayes 32; noes 31.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Cawthorn, Carson, Clinard, Currie, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison Gore, Grayson, Johnston of Buncombe, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Maxwell, Morris, Nicholson, Paylor, Sparrow, Waring, Welch and Wilcox—32.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Collis, Fletcher, Goodwin, Gullick, Guyther, Harris of Guilford, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kincaid, Lassiter, Loftin, Marler, Morgan of Montgomery, Mitchell, Nisson, Reavis, Robbins, Smith of Halifax, Stanford, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Willis, Woodhouse and Yrok—31.

H. B. to prevent the sale of spirituous liquors within the corporate limits of Magnolia, Duplin county, was taken up,

and passed second and third readings and ordered engrossed.

H. B. to authorize the commissioners of Alleghany county to levy a special tax, was taken up on third reading and passed. Ayes 65 ; Noes 6.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Bryson, Carson, Clinard, Collis, Currie, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Guyther, Hampton, Hardy, Houston, Johnston of Buncombe, Jones of Caldwell, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Mabson, Marler, Maxwell, McAfee, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mitchell, Nicholson, Nisson, Paylor, Rankin, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Withers, Wilcox, Womack, Woodhouse and York—65.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Cawthorn, Johnson of Edgecombe and Willis—6.

H. B. to amend an act entitled an act to amend the charter of the Caldwell and Watauga Turnpike Company, was taken up and passed second and third readings and ordered engrossed.

H. B. to change the time for holding the Superior Courts in the 10th and 11th judicial districts was taken up, and

Mr. Johnston, of Buncombe, moved to postpone consideration to Thursday next, at 11½ A. M., and the motion prevailed.

S. B. to ratify sales of real estate for partition, which have been irregularly made, was taken up and recommitted to the judiciary committee.

H. B. to incorporate Wilson Collegiate Institute, was taken up, passed second and third readings and ordered engrossed.

H. B. to incorporate the village of Catawba Vale, in McDowell county, was taken up; amendments reported by the committee were adopted, and the bill passed second and third readings and ordered engrossed.

A message was received from the Senate, announcing con-

currence in report of committee of conference on House bill to provide for the collection of taxes by the State and the severel counties, on property;

Also, that the Senate has passed Senate bill, to provide for the draining of Mattamuskeet Lake. Read and referred to the committee on counties, towns, &c.;

Also, that the Senate has passed amendments to House bill "to raise revenue;"

Mr. Ashe moved to postpone the consideration of the amendments to to-morrow at 12:30, P. M., and to print. The motion prevailed;

H. B. to amend the charter of the Rockfish Manufacturing Company, of Fayetteville. Read and referred to committee on corporations; and

S. B. to amend chapter 137, section 7, laws of 1868–'69, and for other purposes. Read and referred to judiciary committee.

H. B. to repeal section 11, chapter 185, acts of 1868–'69, was taken up, and failed to pass for want of a quorum.

The motion was renewed, the yeas and nays were called, and the bill passed second reading. Ayes 66; Nays 15.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Carson, Clinard, Currie, Dickey, Drake, Dunham, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hardy, Houston, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Marler, McAfee, McCauley, Morgan of Wake, Mitchell, Nicholson, Nisson, Paylor, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Young of Yancey and York—66.

Noes.—Messrs. Bean, Bryant of Halifax, Cawthorn, Collis, Duckworth, Ellison, Goodwin, Heaton, Jones of Northamp-

ton, Mabson, Morgan of Montgomery, Robbins, Smith of Halifax, Tucker of Craven and Willis—15.

A proviso offered by Mr. Loftin was adopted, and under a suspension of the rules the bill passed third reading, and was ordered engrossed.

H. B. to amend an act to restore and reinstate records of the several courts destroyed during the late war, was taken up, passed second and third readings and ordered engrossed.

Mr. Johnston, of Buncombe, in the chair.

The special order being a bill to change stocks of the State for bonds with which such stocks were obtained, and for other purposes, was taken up, and amendments offered by the committee were adopted, and an amendment offered by Mr. Broadfoot was also adopted, when

Mr. Tucker moved an amendment to section 1, which was adopted, and the bill passed second reading.

Senate amendments to House bill to validate revisal of jury lists, were taken up and concurred in.

H. R. in favor of B. F. Baxter, sheriff of Currituck county, was taken up, and the substitute offered by the committee was adopted, and passed second and third readings and ordered engrossed.

Mr. Ashe, by consent, introduced a bill to be entitled an act to define and punish embezzlement, which was read and referred to the judiciary committee.

S. B. to prevent the killing of deer recklessly, was taken up.

Mr. Stanford called for the ayes and noes on the third reading of the bill; the call was sustained, and the bill failed to pass. Ayes 33; Noes 35.

AYES—Messrs. Anderson, Atwater, Bean, Clinard, Collis, Duckworth, Ellison, Furr, Gambrel, Garrison, Gullick, Hampton, Hardy, Houston, Johnston of Edgecombe, Johns, Jordan, Kelly of Moore, Lassiter, Luckey, Marler, Morgan of Wake, Mitchell, Nicholson, Nisson, Paylor, Robbins, Shull, Sparrow, Sykes, Tucker of Iredell, Waring and Withers—33.

NOES—Messrs. Armstrong, Ashe, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bryson, Cawthorn, Carson, Currie, Drake, Dunham, Fletcher, Gore, Grayson, Guyther, Harris of Guilford, Johnston of Buncombe, Jones of Northampton, Joyner of Pitt, Kelsey, Kincaid, McNeill, Rankin, Regan, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Tucker of Craven, Womack, Young of Yancey and York—35.

S. B. to incorporate the Cape Fear Iron and Steel Company, was taken up, and passed second and third readings and ordered enrolled.

Mr. Cawthorn moved to reconsider the vote by which Senate bill to prevent the killing of deer recklessly failed to pass third reading.

S. B. to exempt the members of certain fire companies of the city of Charlotte from public duties was taken up and passed second and third readings, and ordered enrolled.

A message was received from the Senate transmitting for concurrence of the House :

S. R. in favor of W. E. Anderson. Read and referred to committee on finance.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled :

An act supplementary to an act entitled an act to amend the charter of the Northwestern North Carolina Railroad Company, and for other purposes ;

An act to amend an act to incorporate the Greenville and French Broad Railroad Company ; and

An act to amend chapter 11, Code of Civil Procedure ; and they were ratified.

On motion, the House adjourned.

TUESDAY, JANUARY 16th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Richardson, of High Point.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on Senate bill to incorporate the town of Whitaker's in the counties of Edgecombe and Nash;

H. B. to prohibit the sale of spirituous liquors near Ashpole Baptist Church, in Robeson county;

S. B. to incorporate the Jamestown Copper Company;

S. B. to amend the charter of Rockfish Manufacturing Company, of Fayetteville; and unfavorably on

H. B. to incorporate the town of Locksville.

Mr. Welch, from the Committee on Internal Improvements, reported favorably on House bill to lay out and construct a road from Jefferson to the mouth of Phœnix creek, in Ashe county; and on

S. B. to construct a turnpike road from Marion to Burnsville.

Mr. Kelsey, from Committee on Counties, Towns, &c., reported favorably on House bill to annex a part of Macon county to Clay county.

Mr. Anderson, from the same committee, reported a substitute to House bill to prevent the sale of spirituous liquors within the corporate limits of the town of Hendersonville.

Mr. Jones, of Caldwell, from Committee on Claims, reported favorably on House resolution in favor of Henry M. Miller.

INTRODUCTION OF RESOLUTIONS.

By Mr. Ashe: A resolution of instruction to the joint com-

mittee on penal institutions in reference to the penitentiary. Read and placed on the calendar ;

By Mr. Dickey : A resolution in favor of Albert B. Williams and Robert Henley. Read and placed on the calendar ;

By Mr. Marler : A resolution of instructions to the joint select committee on redistricting the State. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Loftin : A bill to repeal chapter 188, laws of 1870–'71. Read and referred to committee on privileges and elections ;

By Mr. Stewart : A bill to prevent the sale of spirituous liquors near Ock Nock Furnace, or Buck Horne Iron Mines. Read and referred to committee on propositions and grievances ;

By Mr. Waring : A bill to incorporate the Farmers' Savings Bank of Charlotte. Read and referred to committee on corporations.

CALENDAR.

The motion of Mr. Cawthorn to reconsider the vote by which Senate bill to prevent the killing of deer recklessly, failed to pass third reading, being the unfinished business, it was taken up and prevailed.

Mr. Joyner, of Johnston, moved to postpone further consideration indefinitely, which did not prevail. He then moved that the provisions of this act should not apply to the county of Johnston, and all counties east of the Wilmington and Weldon railroad, which motion prevailed ; when

Mr. Stanford moved to strike out September and insert August, which was adopted and, on motion of Mr. Anderson, the bill was laid on the table.

On motion of Mr. Gregory, Mr. Lucas was excused for con-

tinued absence, as he was detained by dangerous sickness in his family.

Special order, being House bill concerning the public debt of the State, was taken up,

The question being on amendment of Mr. Stanford, to strike out "50" in line 10, and insert "25;" strike out "30" in line 12 and insert "15;" and strike out "25" in line 19 and insert "10." Pending further action,

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to aid in the completion of the Western Division of the Western North Carolina Railroad, and

H. B. to incorporate the Wilmington Mutual Insurance Company; and message was sent transmitting the same to the Senate for concurrence.

The special order was resumed.

Mr. Heaton offered a substitute to the amendment of Mr. Stanford, which was not adopted.

Mr. Brown called the ayes and noes on the adoption of the amendment.

The call was sustained and the amendment was adopted. Ayes 74; Noes 23.

AYES—Messrs. Anderson, Atwater, Bean, Brooks, Broadfoot, Brown, Bryan of Jones, Bryson, Bunn, Cawthorn, Carson, Clinard, Collis, Copeland, Currie, Dickey, Dudley, Faulkner, Furr, Gambrel, Garrison, Gatling, Goodwin, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Johnston, Justice, Kelly of Davie, Kelsey, Kincaid, Lassiter, Marler, Maxwell, McAfee, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nicholson, Nisson, Powell, Regan, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Stanford, Strudwick, Sykes, Tucker of Iredell, Waring, Welch, Withers, Willis, Womack, Woodhouse, Young of Yancey and York—74.

NOES—Messrs. Armstrong, Ashe, Buxton, Crawford, Drake, Duckworth, Dunham, Gore, Gregory, Henderson, Houston, Jones of Caldwell, Joyner of Pitt, Jordan, Lucas, Luckey, Mitchell, Page, Paylor, Rankin, Scott, Sparrow and Stewart—23.

Mr. York moved to strike out the 10th section, which did not prevail, and the bill failed to pass.

Mr. Ashe moved to reconsider the vote.

The motion was pending, when

Mr. Justice introduced a bill with memorials, to repeal chapter 128, laws of 1870–'71, which were read and referred to committee on propositions and grievances.

A message was received from the Senate transmitting and asking the passage by the House of Senate bill concerning the custody of weights and measures. Read and referred to committee on salaries and fees;

S. B. to annex a portion of New Hanover county to Sampson county. Read and referred to committee on counties, towns, &c.;

S. B. to provide for the support of the insane asylum. Read and referred to committee on finance;

S. B. to authorize the formation of railroad corporations, and to regulate the same. Read and referred to committee on internal improvements; and

Senate amendment to House bill to incorporate the Willard's Bank of Wilmington, which were concurred in; when, by consent,

Mr. Lucas introduced a bill to appoint a board of commissioners of navigation for Ocracoke and Hatteras Inlets, which was read and referred to the committee on internal improvements; and

Mr. McCauley, a bill to be entitled an act to amend the Code of Civil Procedure. Read and referred to the judiciary committee.

The motion to reconsider still pending, the House, on motion, adjourned.

WEDNESDAY, FEBRUARY 17th, 1872.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

Journal of yesterday read and approved.

MEMORIALS, PETITIONS, &C.

Mr. Robinson presented a petition from certain citizens of Cherokee county asking to be transferred to Swain county, which was read and referred to committee on counties, towns, &c.

REPORTS OF COMMITTEES.

Mr. Clinard, from Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to repeal section 11, chapter 185, acts of 1868–'69;

H. B. to allow commissioners of Robeson county to adjust and pay off the indebtedness of said county;

H. B. to amend an act entitled an act to restore and reinstate the records of the several courts in the State, destroyed during the late war;

H. B. to incorporate the Wilson Collegiate Institute;

H. B. to incorporate the Murphy and Tennessee Turnpike Company; and

H. B. to incorporate Prospect Lodge, No. 311, F. and A. Masons, of the county of Rowan; and a message was sent transmitting the same to the Senate for concurrence.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on House bill to incorporate the Oak Grove Camp Ground;

H. B. supplemental to an act to incorporate the North Carolina Land and Lumber Company;

H. B. to incorporate the Hornet Fire Company of the city of Charlotte; and

H. B. to incorporate the Charlotte Hotel Company.

Mr. Sparrow, from the Judiciary Committee, reported favorably on Senate bill to amend section 8, chapter 44, of the Revised Code;

S. B. to change Sampson county from the 4th to the 5th judicial district;

S. B. to amend section 7, chapter 237, laws of 1868–'69, and for other purposes; and

S. B. to amend chapter 233, laws of 1870–'71.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on

House bill in regard to the killing of deer in Transylvania county, and unfavorably on

H. B. to allow the commissioners of Randolph county to grant license to retail spirituous liquors.

Mr. Kincaid, from Committee on Engrossed Bills, reported as correctly engrossed:

H. R. to instruct the Public Treasurer to pay James S. Summersett, John Pittells and Archer Holt, each, the sum of $50 commutation for arms lost in the service, and a message was sent transmitting the same to the Senate for concurrence.

Mr. Kelsey, from Committee on Counties, Towns, &c., reported favorably on

S. B. to provide for the draining of Mattamuskeet Lake.

Mr. Stanford, from Committee on Propositions and Grievances, reported an amendment to

H. B. to prevent the sale of intoxicating liquors within one mile of Island Creek Academy, in Duplin county.

RESOLUTIONS INTRODUCED.

By Mr. Garrison: Resolution concerning adjournment. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Henderson: A bill to be entitled an act in relation to guardians and their bonds. Read and referred to the judiciary committee.

By Mr. Houston: A bill to incorporate the trustees of Catawba Valley Academy, in Catawba county. Read and referred to the committee on corporations.

By the same: A bill to be entitled an act to incorporate the town of Catawba, in Catawba county. Read and referred to the committee on corporations.

By Mr. Fletcher: A bill for the relief of counties. Read and referred to the committee on finance.

By Mr. Withers: A bill to incorporate the Henderson Savings and Loan Association, of Henderon, N. C. Read and referred to the committee on corporations.

By Mr. Wilcox: A bill to lay off and construct a road from Phillips' Gap to Hamilton's Mills, in Ashe county. Read and referred to the committee on counties, towns, &c.

By Mr. Robinson: A bill to change the line between the counties of Cherokee and Swain. Read and referred to the committee on counties, towns, &c.

By the same: A bill to re-enact chapter —, laws of 1868–'9, entitled an act to revise and amend the charter of the Tuckasegee and Nantahala Turnpike Company. Read and referred to the committee on internal improvements.

By Mr. McAfee: A bill to protect the agricultural interest of the State of North Carolina. Read and referred to the committee on the judiciary.

By Mr. Dickey: A resolution with memorial for the relief of B. Mayfield, citizen of Cherokee county. Read and referred to committee on finance.

Mr. Crawford, from the committee on Engrossed Bills, reported as correctly engrossed:

H. B. to be entitled an act for the relief of A. E. Wells, of Buncombe county;

H. B. to amend the charter of the Caldwell and Watauga Turnpike Company;

H. B. to enable the commissioners of Burke and other counties to consolidate the debts of their respective counties.

H. B. to prevent the sale of spitituous liquors within the corporate limits of Magnolia, Duplin county;

H. B. to incorporate the town of Catawba Vale, in McDowell county.

H. B. to repeal an act to incorporate the North Carolina Beneficial Association, and

House resolution in favor of Daniel Latta, and a message was sent transmitting the same, with the bills reported by Mr. Clinard, asking the concurrence of the Senate therein.

CALENDAR.

The unfinished business, being the motion to reconsider the vote by which House bill concerning the debt of North Carolina was laid on the table, was taken up.

Mr. Brown moved to lay the motion on the table, which did not prevail, and the motion to reconsider did prevail.

The motion recurring on the passage of the bill,

Mr. Welch offered a substitute in a bill declaring what portion of the debt of North Carolina is valid, and to pay off the same, when

Mr. Sparrow moved to make the bill the special order for to-morrow at 11:30 A. M., with order to print substitute of Mr. Welch, which motion prevailed.

The special order, being Senate bill "to alter the Constitution of the State of North Carolina," was taken up.

Mr. Sykes offered a substitute.

After discussion, the hour for the call of the House having arrived, the call was ordered, when the following members answered to their names:

Mr. Speaker, Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of

Halifax, Bryan of Jones, Bryson, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Morgan of Wake, Mills, Mitchell, Newsome, Nicholson, Nisson, Page, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson, Young of Wake, Young of Yancey and York—116.

Mr. Johnston, of Buncombe, called the previous question, on which Mr. Mabson called the ayes and noes; the call was sustained by the following vote. Ayes 78; Noes 35.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Brown, Bryson, Buxton, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of

Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—78.

NOES—Messrs. Bean, Bryant of Halifax, Bryan of Jones, Bunn, Collis, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Harris of Franklin, Hargrove, Heaton, Johnson of Edgecombe, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—35.

The question recurring on the substitute offered by Mr. Sykes, the ayes and noes were called, and the substitute was rejected. Ayes 38; Noes 75.

AYES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Collis, Darden, Dudley, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnston of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Reavis, Smith of Halifax Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—38.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinton, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Page, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancey and York—75.

The question being on the passage of the bill on third reading, the ayes and noes were called and the bill passed. Ayes 76; Noes 39.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Bryson, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Young of Yancy and York—76.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Collis, Darden, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—39.

Mr. Strudwick introduced a bill to amend the constitution of the State of North Carolina. Placed on the calendar;

By Mr. Jones, of Caldwell: A bill to prevent the extermination of partridges. Read and referred to the committee on propositions and grievances;

By Mr. Broadfoot: A bill to incorporate the Cumberland County Agricultural Society. Read and referred to the committee on corporations;

By the same: A bill to incorporate the Clarendon Military

Academy of Cumberland county. Read and referred to committee on corporations;

By Mr. Ashe: A bill to amend and extend the charter of the Cape Fear Lodge, No. 2, I. O. O. F., of Wilmington, N. C. Read and referred to committee on corporations;

By the same: A bill to aid in the construction of a hospital in Wilmington, with a memorial; which were read and referred to the committee on counties, towns, &c.;

By Mr. Sparrow: A resolution to inquire into the management of the Penitentiary. Read and placed on the calendar.

Leaves of absence were granted Messrs. Regan and Gore until Tuesday next, and Bryson indefinitely.

The special order being the concurrence of the House in Senate amendments to bill to raise revenue, it was taken up.

Mr. Ashe moved that the House do not concur in the amendments, and the motion prevailed; when a message was sent announcing the same to the Senate.

On motion of Mr. Powell, House bill to incorporate the town of Lockville was taken up and recommitted to committee on corporations.

On motion, Senate bill to change the county of Sampson from the 4th to the 5th Judicial District, was taken up, and passed second and third readings and ordered enrolled.

The second special order, being resolutions of instructions to the Attorney General concerning the lease of the North Carolina Railroad, it was taken up, and postponed until Monday week, 29th inst. at 11, A. M.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to incorporate the Cape Fear Iron and Steel Company, and

An act to provide for the collection of taxes by the State, and the several counties of the State, on property, poll and income, and they were ratified.

A message was received from the Senate transmitting and asking concurrence in the passage of

S. R. in favor of Mason L. Wiggins of Halifax county. Read and referred to committee on claims;

S. B. to provide for the revision of jury lists. Read and referred to the judiciary committee.

S. B. amending an act in relation to protecting the city of Raleigh from Fire. Read and referred to committee on counties, towns, &c.;

S. B. to authorize the commissioners of Nash county to levy a special tax for the purpose of erecting a wall around the jail, &c. Read and referred to the committee on counties, towns, &c.;

S. B. to prevent deputy or assistant clerks from acting as attorneys-at-law in the counties in which they act as deputy or assistant clerks. Read and referred to the judiciary committee.

S. B to incorporate a bank in the city of Newbern was, on motion, taken up and passed second and third readings and ordered enrolled.

H. B. to prevent the catching of oysters in Far creek, in Hyde county, was taken up and passed second and third readings and ordered engrossed.

H. B. to be entitled an act amend an act to provide for limited partnerships was taken up and passed second and third readings and ordered engrossed.

Mr. Broadfoot moved to reconsider the vote by which Senate bill to change Sampson county from the 4th to the 5th judicial district passed third reading; which motion prevailed.

Leave of absence was granted Mr. Smith of Halifax till Monday next.

On motion, the House adjourned.

THURSDAY, JANUARY 18th, 1872.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

Leaves of absence were granted Messrs. McAllister for one day, Bryan, of Jones, Willis and Tucker for two days.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judiciary Committee, reported unfavorably on

S. B. to ratify sales of real estate for partition which have been irregularly made;

S. B. to provide for revision of jury lists;

H. B. to protect the agricultural interests of the State;

H. B. in relation to guardians and their bonds; and favorably on

H. B. to define and punish embezzlement, and

Amendments to Senate bill to prevent deputy and assistant clerks from practising as attorneys-at-law in the counties in which they act as such deputy or assistant clerks.

Mr. Crawford, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. R. in favor of G. W. Willoughby and G. B. Threadgill;

H. B. in favor of E. Murrell, sheriff of Onslow county, and

H. B. to incorporate the Fayetteville Road Steamer Company, and a message was sent transmitting the same to the Senate for concurrence.

INTRODUCTION OF BILLS.

By Mr. Loftin: A bill to amend chapter 24, public laws of 1865–'6. Read and referred to committee on finance.

By Mr. Ashe: A bill in relation to the Cape Fear Navigation Company. Read and referred to committee on judiciary.

By Mr. Bryant, of Halifax: A bill to authorize the sheriff of Halifax county to collect arrears of taxes. Read and referred to finance committee.

By Mr. Johnston, of Buncombe: A bill to provide for the publication of act to alter the Constitution of the State of North Carolina, passed by this General Assembly. Read and placed on calendar.

CALENDAR.

On motion of Mr. Sparrow House resolution to enquire into the management of the penitentiary was taken up, passed second and third readings and ordered engrossed.

S. B. to construct a turnpike from Marion, McDowell county, to Burnsville, in Yancey county, was taken up, passed second and third readings and ordered enrolled.

S. B. to empower county commissioners to extend the time for collecting taxes, was taken up and, on motion, laid on the table.

S. B. to incorporate the the town of Whitaker's, in the counties of Edgecombe and Nash, was taken up, passed second and third readings and ordered enrolled.

H. R. regarding absentees was, on motion of Mr. Martin, taken up, and

On motion of Mr. Cawthorn, laid on the table.

H. B. to provide for the publication of act to alter the constitution of the State of North Carolina, was taken up.

Mr. Houston offered an amendment.

Pending action, the special order, being the bill to change the time of holding the courts in the 10th and 11th judicial districts, was, on motion of Mr. Wilcox, postponed until Monday next, at 11 A. M.

The second special order for the hour being bill concern

ing the debt of the State, was taken up and, on motion, its consideration was postponed for one-half hour.

Mr. Dunham offered a substitute for the bill under consideration.

Mr. Rankin offered an amendment.

Mr. Johnston, of Buncombe, called the previous question, when the main question which was ordered.

Mr. Rankin's amendment did not prevail.

The substitute was adopted, and the bill passed second reading.

The rules were suspended and the bill was put on its third reading.

Mr. Houston moved to refer.

The motion did not prevail.

Under a call for the previous question, the bill passed its third reading.

Mr. Dunham moved to reconsider the vote by which the bill passed its third reading, and to lay that motion on the table. Prevailed.

Mr. Sparrow made the same motion in reference to resolution to investigate the management of the penitentiary, which prevailed.

Both bill and resolution were engrossed and transmitted, with a message, to the Senate for concurrence.

Mr. Robinson, from Committee on Enrolled Bills, reported as correctly enrolled :

An act to validate the revisal of jury lists and for other purposes ;

An act to incorporate the People's Bank of Newbern ;

An act to exempt the members of certain fire companies of Charlotte from public duties ;

An act to incorporate the Catawba and Lincoln Mining and Manufacturing Company ;

An act to incorporate the Bank of the State ; and

Resolution in favor of W. H. Battle and D. G. Fowle, and they were ratified.

S. B. to provide for process issuing from courts of justices of the peace in civil causes, where one or more of the defendants reside out of the county in which the action is brought, was taken up.

The substitute reported by the committee was adopted, passed the second and third readings and ordered engrossed.

On motion of Mr. Sparrow, House resolution in favor of R. S. Tucker, was made the special order for to-morrow at 12 M.

A message was received from the Senate announcing that the Senate had refused to recede from its amendments to House bill to raise revenne, and asking a committee of conference. The request was agreed to.

Messrs. Ashe, Robinson and Hargrove were appointed House branch of said committee, and a message was sent announcing the same to the Senate.

A message was also received transmitting for concurrence:

S. B. concerning representation in the House of Representatives. Read and placed on the calendar;

S. B. in relation to the commissioners of Stokes and Rockingham counties; which was read and referred to committee on counties, towns, &c.;

S. B. to incorporate the Neuse River Ferry Company of North Carolina. Read and referred to the committee on corporations; and

Senate amendment to House bill to legalize the acts of the county courts of Alleghany county, at April term, 1868. The amendments were, on motion, concurred in; also

S. R. in regard to adjournment; which was read and placed on the calendar.

The special order was then taken up, (bill concerning the debt of the State,) the question being on the adoption of the substitute offered by Mr. Welch.

On motion, further consideration waspostponed until to-morrow at 11, A. M.

Mr. Jones, of Caldwell, rose to a question of privilege, and

denied the allegation of this mornnig's *Carolinian* that the resolution introduced by himself concerning the lease of the North Carolina Railroad emanated from the President of the road.

Mr. Strudwick moved to take from the table House bill to abolish the office of Supreme Court Reporter, and for other purposes, and the motion prevailed.

On motion, Senate resolution in regard to adjournment was taken up and passed second reading. Ayes 95; Noes none.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Goodwin, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Mabson, Marler, Maxwell, McAfee, McCauley, McNeill, Morgan of Montgomery, Morgan of Wake, Mitchell, Newsome, Nicholson, Nisson, Page, Paylor, Rankin, Reavis, Reid, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and York—95.

NOES—None.

The rules were suspended and the resolution passed its third reading and was ordered engrossed.

Leaves of absence were granted Messrs. Goodwin, Settle and Gatling for three days, and Mabson for two days.

Mr. Houston moved to take up House resolution in regard to night sessions. Pending action,

Mr. Page moved to adjourn, and the motion prevailed.

FRIDAY, JANUARY 19th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

Leave of absence for one day was granted Mr. Robbins.

REPORTS OF COMMITTEES.

Mr. Currie, from the Committee on Corporations, reported favorably on

S. B. to incorporate the Neuse River Ferry Company of North Carolina, and on

H. B. to incorporate Asheville Council No. 4, Friends of Temperance.

Mr. Ashe, from the Finance Committee, reported unfavorably on

H. B. to authorize the sheriff of Halifax county to collect arreas of taxes; favorably on

H. B. to amend chapter 24, laws of 1865–'6;

S. B. providing for the support of the Insance Asylum; and

S. B. in regard to delinquent sheriffs and tax collectors, and to validate certain acts of the Public Treasurer.

Mr. Stanford, from the same committee, reported favorably on

H. R. for the relief of B. Mayfield, a citizen of Cherokee.

Mr. Tucker, of Iredell, from the Judiciary Committee, reported favorably on

H. B. to amend an act in relation to fees, &c.

Mr. Anderson, from Committee on Counties, Towns, &c., reported favorably on

S. B. to authorize the Commissioners of Nash county to levy a special tax;

H. B. to lay out and construct a public road from Phillips' Gap to Hamilton's Mills, in Ashe county;

H. B. to change the line between the counties of Ashe and Alleghany;

S. B. to annex a portion of New Hanover county to Sampson county; and an amendment to

H. B. to allow Simon Goodwin, tax collector of Johnston county, to collect arrears of taxes.

INTRODUCTION OF RESOLUTIONS.

By Mr. Carson: Resolution of instruction to the Committee on Printing. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. McNeill: A bill conferring power on county commissioners in certain cases. Read and referred to the judiciary committee;

By Mr. Maxwell: A bill to incorporate the Little Coharie Draining Company. Read and referred to committee on corporations;

By Mr. Johnston, of Buncombe: A bill, with a memorial, to revive an act to incorporate the town of Leicester, in the county of Buncombe.

Leaves of absence were granted Messrs. Dudley and Sykes for three days.

Mr. Houston rose to a privilege question concerning reports of action of the House on House bill to provide for publication of act to alter the Constitution of the State, found in the morning papers.

Messrs. Justice and McAfee also rose to question of privilege.

Reports were received from the Presidents of Boards of Directors of Insane Asylum, Institution for the Deaf, Dumb and Blind and Managers of the Penitentiary, regarding salaries of

officers and employees of the institutions, which were read and on motion transmitted to the Senate with a proposition to print in legislative documents.

A communication was received from the State Agricultural Convention transmitting a series of resolutions, which were read and transmitted to the Senate for reference.

CALENDAR.

The unfinished business (being House bill concerning the debt of the State) was taken up.

Mr. Nicholson moved to postpone consideration until Tuesday next, at 11 A. M.

Mr. Brown called the ayes and noes on the motion to postpone.

The call was sustained and the motion did not prevail. Ayes 40; Noes 48.

AYES—Messrs. Armstrong, Atkinson, Bean, Cawthorn, Crawford, Currie, Drake, Dunham, Fletcher, Hampton, Henderson Houston, Johns, Jones of Caldwell, Joyner of Johnston, Jeyner of Pitt, Jordan, Kelly of Moore, Kelsey, Lucas, Luckey, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell Nicholson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Strudwick, Sykes, Tucker of Iredell, Waring, Withers and Williamson—40.

NOES—Messrs. Anderson, Atwater, Brooks, Brown, Bryant of Halifax, Bunn, Carson, Clinard, Collis, Darden, Dickey, Dudley, Duckworth, Furr, Gambrel, Garrison, Goodwin, Gullick, Grayson, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Hinnant, Johnson of Edgecombe, Jones of Northampton, Justice, Kincaid, Lassiter, Loftin, Lyon, Martin, Morris, Morgan of Montgomery, Morgan of Wake, Newsome, Nisson, Page, Paylor, Powell, Reavis, Robbins, Stanford, Welch, Wilcox, Woodhouse and York—48.

Mr. Rankin moved an amendment to the substitute of Mr. Welch providing for the election of the commission provided

for in the bill by the General Assembly, which amendment was adopted.

Pending further action,

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to legalize the acts of the county court of Alleghany and other counties of the State, held in April, May and June, 1868;

An act to incorporate Rocky Mount College;

An act to incorporate the Dawson Bank;

An act to alter the Constitution of North Carolina;

An act to establish and lay out a turnpike in the counties of Camden and Currituck, and

Joint resolution on adjournment, and they were ratified.

Mr. Kincaid, from Committee on Engrossed Bills, reported as correctly engrossed:

H. R. in favor of J. T. Baxter, sheriff of Currituck, and A. Murray, sheriff of Alamance;

H. B. to authorize the commissioners of Alleghany to levy a special tax;

H. B. to amend an act to provide for limited partnerships, ratified February, 1861;

H. B. to amend an act to incorporate the town of Salem, North Carolina;

H. B. to prevent the catching of oysters in Far Creek, Hyde county; and

H. B. to incorporate Davidson High School, in Davidson county, and a message was sent transmitting the same to the Senate for concurrence.

The unfinished business was resumed, when

Mr. Nicholson moved to postpone further consideration until Monday next at 11 A. M., and the motion prevailed.

A message was received from the Senate transmitting for concurrence:

S. B. to be entitled an act to incorporate the People's

Building and Loan Association of Oxford. Read and referred to committee on corporations;

S. B. to be entitled an act to promote immigration and to facilitate the settlement of the public lands. Read and referred to judiciary committee, and

S. R. allowing the Enrolling Clerk to employ assistance. Read and placed on the calendar.

On motion of Mr. Strudwick, bill introduced by himself to amend the Constitution of the State, was taken up and made special order for Monday next at 1 o'clock, P. M.

Mr. Waring, by consent, introduced a bill to amend the charter of the city of Raleigh. Read and referred to committee on counties, towns, &c.

By the same: A bill to amend section 49, chapter 201, laws of 1868-'69. Read and referred to the judiciary committee.

By the same: A bill to amend the Constitution of this State. Read and placed on the calendar by request.

Resolution in favor of R. S. Tucker, being special order for the hour, was taken up.

Mr. Dudley moved to postpone consideration indefinitely, and called the ayes and noes.

The call was sustained.

Mr. Jones, of Caldwell, called the previous question, which was ordered, and the motion to postpone prevailed. Ayes 74; Noes 17.

AYES—Messrs. Armstrong, Atwater, Atkinson, Bean, Brooks, Brown, Bryant of Halifax, Bunn, Cawthorn, Clinard, Collis, Darden, Dudley, Duckworth, Dunham, Faulkner, Fletcher, Furr, Gambrel, Garrison, Goodwin, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Davie, Kincaid, Lucas, Luckey, Marler, McCauley, McNeill, Morris, Morgan of Montgomery, Mitchell, Newsome, Nicholson, Nisson, Page, Phillips, Paylor, Powell,

Rankin, Reid, Robbins, Robinson, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse, Williamson and York—74.

NOES—Messrs. Ashe, Crawford, Currie, Dickey, Drake, Ellison, Harris of Franklin, Henderson, Jones of Caldwell, Joyner of Pitt, Kelly of Moore, Lassiter, Maxwell, McAfee, Morgan of Wake, Sparrow and Wilcox—17.

Mr. Loftin in the chair.

H. R. in favor of night sessions was taken up and adopted.

Mr. Ashe, by consent, reported from the committee of conference on

H. B. to raise revenue, which was read and, on motion, concurred in, and a message was sent transmitting the same to the Senate, with the bill.

H. B. to prohibit the sale of spirituous liquors within two miles of Pleasant Plains Baptist Church, in Columbus county, was taken up, and substitute reported by the committee was adopted, and passed second and third readings and ordered engrossed.

H. B. to amend the charter of the city of Newbern was taken up and passsed second and third readings and ordered enrolled.

On motion, H. B. for the protection of policy holders in this State was taken up.

The question being on the adoption of the substitute of the Judiciary Committtee, it was, on motion, postponed till Thursday next, at 11:30, A. M.

Leave of absence was granted Mr. Cawthorn for one day.

On motion, the House adjourned.

SATURDAY, JANUARY 20th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair.

Prayer by Rev. Mr. Flythe, of the Senate.

The Journal of yesterday read and approved.

RECEPTION OF PETITIONS, MEMORIALS, &C.

By Mr. Kelly, of Davie: A petition from John A. Richardson, Solicitor for 4th judicial district against the transfer of Sampson county from the 4th to the 5th judicial district. Read and referred to judiciary committee.

RECEPTION OF REPORTS.

Mr. Sparrow, from the Judiciary Committee, reported favorably on Senate bill in relation to the commissioners of Stokes and Rockingham counties.

Mr. Welch, the from Committee on Internal Improvements, reported unfavorably on

S. B. to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road to the Tennessee line.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported favorably on bill to amend an act for the protection of mechanics, and other laborers, materials, &c., laws of 1869–'70.

INTRODUCTION OF RESOLUTIONS.

By Mr. Luckey: A resolution concerning clerical aid. Read and placed on the calendar.

INTRODUCTION OF BILLS.

By Mr. Sparrow: A bill to lay off and establish a new

county by the name of Pamlico. Read and referred to committee on counties, towns, &c.

By Mr. Scott: A bill to authorize the commissioners of Onslow county to levy a special tax. Read and referred to committee on counties, towns, &c.

By Mr. Broadfoot: A bill to re-enact and continue in force an act to empower the commissioners of Cumberland county to levy a special tax. Read and referred to the committee on counties, towns, &c.

CALENDAR.

H. B. to authorize the commissioners of Union county to levy a special tax, was taken up.

Mr. Ashe offered a substitute, which was adopted, and passed second reading. Ayes 63; Noes 8.

AYES—Messrs. Anderson, Armstrong, Ashe, Atkinson, Bean, Brooks, Broadfoot, Buxton, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Fletcher, Garrison, Gullick, Grayson, Guyther, Hampton, Hargrove, Hardy, Henderson, Houston, Hinnant, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Moore, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Martin, Marler, Maxwell, McAfee, Morgan of Montgomery, Mitchell, Newsome, Nisson, Paylor, Powell, Rankin, Reid, Robinson, Scott, Smith of Anson, Smith of Wayne, Stewart, Tucker of Iredell, Waring, Woodhouse and York—63.

NOES—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Faulkner, Johnson of Edgecombe, Page and Williamson—8.

On motion of Mr. Houston, Mr. Chamberlain was excused for continued absence without leave on account of personal illness.

S. B. to incorporate the Old North State Insurance Company was taken up and passed second and third readings and ordered enrolled.

H. B. to incorporate the town of Cherryville, in Gaston county, was taken up and passed second and third readings and ordered engrossed.

H. B. to amend chapter 24, section 1, of laws of 1865–'66, was taken up and failed to pass for want of a quorum.

Mr. Loftin renewed the motion and called for the ayes and noes.

Mr. Waring moved to lay the bill on the table, which did not prevail.

The vote was then taken and the bill failed to pass. Ayes 27; Noes 46.

AYES—Messrs. Anderson, Ashe, Brooks, Broadfoot, Brown, Bryant of Halifax, Buxton, Carson, Currie, Darden, Dickey, Duckworth, Hampton, Hardy, Houston, Jones of Caldwell, Justice, Kincaid, Loftin, Martin, McAfee, Mills, Mitchell, Rankin, Smith of Wayne, Sparrow and Wilcox—27.

NOES—Messrs. Armstrong, Atkinson, Bean, Bunn, Chamberlain, Clinard, Collis, Crawford, Dudley, Dunham, Faulkner, Garrison, Gullick, Grayson, Guyther, Hargrove, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Lucas, Luckey, Lyon, Marler, Maxwell, McAllister, McCauley, Morgan of Montgomery, Morgan of Wake, Nisson, Paylor, Powell, Robinson, Tucker of Iredell, Waring, Woodhouse, Williamson and York—46.

S. B. to enable the Wilmington, Charlotte & Rutherford Railroad Company to complete its road and finish the same to the Tencessee line was taken up.

Mr. Luckey moved to amend by striking out the 5th section.

Mr. Jordan moved to make the bill the special order for Tuesday next, at 11, A. M., and the motion prevailed.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to prohibit the sale of intoxicating liquors within

two miles of the Baptist Church at Pleasnt Plains, Columbus county, and the subtitute of the House to

S. B. to provide for the service of process issuing from courts of justices of the peace, where one or more of the defendants reside out of the county in which the action is commenced; and a message was sent transmitting the same to the Senate for concurrence.

Leave of absence was granted Messrs. Nisson and Jones of Northampton for two days, and Newsome for three days from Monday next.

A message was received from the Senate transmitting for concurrence of the House:

S. B. to incorporate the Yadkin and Dan River River Railroad Company. Read and referred to the committee on internal improvements;

S. B. supplemental to an act to raise revenue, passed by the General Assembly. Read and placed on the calendar;

S. B. to authorize the Secretary of State to issue a patent to L Cahoon, of Elizabeth City, N. C. Read and placed on the calendar;

S. R. instructing the committee to audit the accounts of State printing. Read and placed on the calendar; and Senate amendments to

H. B. to provide for the publication of an act to alter the constitution of North Carolina.

The amendments were concurred in and the bill ordered enrolled.

S. B. to repeal an act ratified January 13th, 1872, supplementary to an act to amend the charter of the North Western North Carolina Railroad Company and for other purposes, and to fill up certain blanks, which was read and placed on the calendar, and

S. R. concerning the payment of the funds in the treasury, collected on account of the Marion and Ashville Turnpike Company. Read and placed on the calendar; also

A message transmitting the letter of resignation of Hon.

Z. B. Vance, United States Senator, and requesting that the President of the Senate and Speaker of the House of Representatives transmit the same to his Excellency, the Governor, with request that it be filed in the executive office.

The letter of resignation was read and accepted, and,

On motion of Mr. Sparrow, transmitted to the Governor in accordance with the request of the Senate.

S. B. to incorporate the Neuse River Ferry Company, of N. C., was taken up, passed second and third readings and ordered enrolled.

Mr. Chamberlain was allowed, by request, to record his vote on the bill to alter the constitution of North Caroliua, and on resolution to impeach George W. Logan, Judge, &c.

He voted in favor of the bill and against the resolution.

On motion,

House bill to change the time for the annual meeting of the Board of Directors for the Insane Asylum was taken up, passed second and third readings, and ordered engrossed.

H. B. to incorporate the Board of Trade of the city of Raleigh, was, on motion, taken up, passed second and third readings and ordered engrossed.

S. B. to amend chapter 63, laws 1870-'71, was taken up, passed second and third readings and ordered enrolled.

S. R. to authorize the Enrolling Clerk to employ assistance was taken up, passed second and third readings and ordered enrolled.

S. B. to repeal an act supplementary to an act to amend the charter of the North Western North Carolina Railroad Company, and to fill up certain blanks, was taken up, passed second and third readings and ordered enrolled.

H. R. authorizing the employment of additional clerical assistance was taken up, amended, and adopted.

S. B. to authorize the Commissioners of Nash county to levy a special tax for the construction of a wall around the county jail, &c., was taken up, and passed second reading. Ayes 59; noes 12.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Carson, Chamberlain, Clinard, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Ellison, Gambrel, Garrison, Gullick, Grayson, Guyther, Hampton, Hargrove, Hardy Henderson, Houston, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Jordan, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lottin, Luckey, Lyon, Martin, Marler, Maxwell, McAllister, Morgan of Montgomery, Morgan of Wake, Mitchell, Phillips, Paylor, Rankin, Reid, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Tucker of Iredell, Waring, Welch and York—59.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Bunn, Buxton, Dudley, Faulkner, Fletcher, Johnson of Edgecombe, Newsome, Nisson and Page—12.

S. B. to provide for the draining of Mattamuskeet Lake, was taken up, passed second and third readings and ordered enrolled.

Mr. Wilcox, by consent, introduced a bill to prevent fraud in grants of lands, which was read and referred.

S. B. to change Sampson county from the 4th to 5th judicial district was, on motion, taken up.

On motion of Mr. Broadfoot, the bill was amended, passed third reading and ordered engrossed.

A message was received from his Excellency, the Governor, acknowledging the reception of the letter of resignation of Hon. Z. B. Vance, United States Senator, which was transmitted to the Senate.

Mr. Scott introduced a bill to prevent the sale of intoxicating liquors in the town of Swansboro, in Onslow county, or within six miles thereof, which was read and referred to the committee on propositions and grievances.

H. B. to amend section 103, Code of Civil Procedure, was taken up, passed third reading and ordered engrossed;

H. B. to incorporate Asheville Council No 4, Friends of Temperance, was taken up, passed second and third reading and ordered engrossed.

H. B. for the relief of the tax payers of Madison county, was taken up, passed second and third readings and ordered engrossed.

H. B. to change the line between the counties of Ashe and Alleghany, was taken up, passed second and third readings and ordered engrossed.

H. B. to amend an act to promote the planting of oysters and clams, was taken up, passed second and third readings and ordered engrossed.

H. B. amendatory of an act to incorporate the Hiwassee and Cheoah Turnpike Company, was taken up, passed second and third readings and ordered engrossed.

H. B. to be entitled an an act in regard to bills of costs, was taken up, passed second and third readings and ordered engrossed.

S. B. to allow county commissioners to extend the time for collecting the taxes was,

On motion of Mr. Johnston, of Buncombe, taken from the table and placed on the calendar.

H. B. to incorporate the New River Canal Company, was taken up, passed second and third readings and ordered engrossed.

H. B. to incorporate the Raleigh and Fayetteville Railroad Company was taken up.

The amendments reported by the committee were adopted and the bill passed second and third readings and ordered engrossed.

S. B. concerning representation of the House of Representatives was taken up and passed second reading.

The bill was, on motion, put on third reading and, on motion, postponed to Tuesday, at 11:30, A. M.

The following order was announced :

House branch of Joint Select Committee to inquire into the management of the Penitentiary—Messrs. Johnston, of Buncombe, McAfee and Morris.

By consent, Mr. Mills introduced a bill to be entitled an

act in regard to county taxes. Read and referred to finance committee.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled :

An act to incorporate the Brothers Manufacturing Company of Cumberland county ;

An act to incorporate the Raleigh Female Seminary ;

An act to amend the charter of the city of Newbern ;

An act to prevent the sale of spirituous liquors within the corporate limits of Magnolia, Duplin county ;

An act to construct a turnpike road from Marion, in McDowell county, to Burnsville, in Yancey county ;

An act to incorporate the town of Whitakers in the counties of Edgecombe and Nash ; and

An act to authorize the commissioners of Robeson to adjust the debt of said county.

They were ratified.

On motion, the House adjourned.

MONDAY, JANUARY 22d, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of Saturday was read and approved.

Mr. Sparrow rose to a question of privilege, and said :

MR. SPEAKER: I rise to announce to the representatives of North Carolina a public calamity. Our people are in affliction. Death, the remorseless destroyer of our race, hath stricken down our best beloved. "What shadows we are, and what shadows we pursue !" Thomas Bragg is dead ! The places which knew him here will henceforth know him no more forever. Our eyes will never again rest upon his venerated form. These halls will never again echo to the

tread of his footsteps, nor to the sound of his once familiar voice. "The silver cord is loosed; the golden bowl is broken; the pitcher has been broken at the fountain; the wheel been broken at the cistern, and the soul of our statesman has returned unto God who gave it." North Carolina hath many sons who are worthy of her pride, but he was the noblest Roman of them all. The public heart throughout our borders will respond freely to this sentiment: "None knew him but to love him." He was not one of those who appear greatest at a distance, but his greatness increased upon you the nearer you approached him. He was of the people and reflected lustre upon them, while they in return thrust honors upon him. His ruling passion was love of liberty and hatred to tyrants. He was gifted and learned without parade or ostentation. The severe simplicity of his life and character was their greatest charm. In his profession of the law he had no superior, and in its practice he was the soul of high honor. As legislator and as governor of his native State, as senator in the congress of the United States, and as cabinet officer in the Confederate States, he was equally distinguished, honoring himself and reflecting high honor on his people.

But with all his rare virtues and his high honors he hath left us! "How are the mighty fallen in the midst of the battle!" Henceforth he will occupy a niche in our temple of fame. His memory will be embalmed in the hearts of his countrymen, and his name be enrolled in that long catalogue of illustrious departed worthies whose names and deeds we so delight to honor. His last resting place will be to North Carolinians in years to come a hallowed spot,

> And freedom shall awhile repair,
> To dwell a weeping hermit there.

Mr. Speaker, it is fitting that we, the representatives of the people, do honor to the memory of so distinguished a citizen. I therefore send to the clerk's desk a resolution which I trust may be unanimously adopted by the House and transmitted to the Senate for its concurrence.

The following is the resolution:

The General Assembly of North Carolina do resolve, That as an evidence of their respect for the memory of Thomas Bragg, late a Governor of this Commonwealth, now departed, they will adjourn for this day. *They do further resolve*, That as a body, with their presiding and other officers, they will attend the funeral obsequies of the deceased at 3½ o'clock this afternoon, and accompany the remains to the place of burial.

In seconding the resolution,

Mr. Phillips said that he rose to second the resolutions, and in so doing, would indulge in the mournful satisfaction of giving expression to his sense of the great loss which the State has sustained in the death of Governor Bragg. In the presence of the dread messenger who had called this eminent citizen from our midst, to whose mandates we all stand equally amenable, he would not dare to recall those insignificant matters upon which the rivalries and differences of this life depend, but would call up only what is substantial and lasting in the estimates of men. He had made the acquaintance of Mr. Bragg whilst he was chief executive of the State, and had then formed a definite opinion of him, which in the years that had since passed he had had no reason to alter, except so far as closer observation and more mature judgment had occasioned a higher appreciation of his qualities. Since he had been a member of the Raleigh bar, he had frequent opportunity of close professional intercourse with the deceased, and had always found him most honorable and candid, whether acting with him or in opposition. If he was not the first man in the profession, he was in the very first place, eminent not only as a member of the bar of the Supreme Court, but also for his powerful addresses to juries. There was great completeness and proportion about his intellectual and moral faculties. We have no man left among us who, take him altogether, is the superior of our latest dead.

In recalling the name and virtues of those whom the State has lost recently—the names of Badger, Morehead, Saunders, Swain, Ruffin and Mordecai, we may well adopt the sad phrase of classical antiquity, and say of Thomas Bragg, "*Transit ad majorem partem!*"

The resolutions were unanimously adopted and then ordered to be transmitted to the Senate for concurrence.

The Senate having concurred in the resolutions, the House adjourned until to-morrow morning at 10 o'clock, after being notified by the Speaker to assemble in the hall at 2½ o'clock, to attend the funeral as an organized body.

TUESDAY, JANUARY 23d, 1872.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Hardy, of the House.

The Journal of yesterday was read and approved.

RECEPTION OF REPORTS.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on

H. B. to incorporate the Little Coharie Draining Company;

H. B. to incorporate the Clarendon Military Academy, in Cumberland county;

H. B. to amend and extend the charter of the Cape Fear Lodge, No. 2, I. O. O. F. of Wilmington;

H. B. to incorporate Stonewall Lodge, No. 1, Knights of Pythias of North Carolina;

H. B. to incorporate the Cumberland County Agricultural Society, and

S. B. to incorporate the Hollywood Cemetery.

Mr. Nicholson, by consent, recorded his vote in the negative

on House bill to amend chapter 24, laws of 1865–'66, and Mr. Stanford in the affirmative on the same bill.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported favorably on

H. B. to incorporate the town of Lillington, in Harnet county, and

H. B. to lay off and establish a new county by the name of Pamlico.

Mr. Smith, of Anson, from Finance Committee, reported favorably on

S. R. in favor of W. E. Anderson, and

S. R. in favor of W. H. Hamilton.

Leave of absence was granted Mr. Paylor for three days.

RECEPTION OF PETITIONS, MEMORIALS, &C.

By Mr. Johnston, of Buncombe: A petition of citizens against the formation of a new county embracing a part of Buncombe, which was read and referred to the committee on counties, towns, &c.

Mr. Tucker, of Iredell, from the Judiciary Committee, reported unfavorably on

H. B. in relation to the Cape Fear Navigation Company.

INTRODUCTION OF BILLS.

By Mr. Morgan, of Montgomery: A bill to authorize the commissioners of Montgomery county to levy a special tax and to issue bonds. Read and placed on the calendar.

By Mr. Hardy: A bill to authorize the commissioners of Greene county to levy a special tax. Read and referred to the finance committee;

By Mr. Chamberlain: A bill to authorize the commissioners of Camden county to levy a special tax. Read and placed on calendar, by consent;

S. B. providing for support of the Insane Asylum, was taken up, passed second and third readings and ordered enrolled.

H. B. to authorize the commissioners of Union county to levy a special tax, was taken up and passed third reading. Ayes 70; Noes 5.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Buxton, Cawthorn, Carson, Chamberlain, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Fletcher, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Guyther, Harris of Guilford, Hargrove, Heaton, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Justice, Kelly of Davie, Kaincaid, Lassiter, Loftin, Lucas, Luckey, Mabson, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Morgan of Montgomery, Mitchell, Nicholson, Powell, Reid, Regan, Robbins, Scott, Shull, Smith of Anson, Sparrow, Stewart, Sykes, Tucker of Iredell, Welch, Womack, Woodhouse and York—70.

NOES—Messrs. Dudley, Faulkner, Johnson of Edgecombe, Smith of Halifax and Willis—5.

S. B. supplementary to an act to incorporate the Elizabeth City and Norfolk Railroad Company was taken up and passed second and third readings and ordered enrolled.

H. B. to amend section 2, chapter 66, of public laws of 1869–'70, was taken up and passed second and third readings and ordered engrossed.

H. B. to incorporate the Carolina Narrow Guage Railroad Company was taken up and passed second reading. Ayes 65; Noes 11.

AYES—Messrs. Anderson, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Chamberlain, Collis, Copeland, Crawford, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Fletcher, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Hampton, Harris of Guilford, Hargrove, Heaton, Henderson, Houston, Johnston of Buncombe, Johns, Joyner of Pitt, Jordan, Kelly of Moore, Kincaid, Lassiter, Lof-

tin, Lucas, Luckey, Mabson, Marler, McAllister, Morris, Morgan of Montgomery, Mitchell, Nicholson, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Tucker of Iredell, Withers, Wilcox, Womack, Woodhouse and York—65.

NOES—Messrs. Carson, Faulkner, Guyther, Hinnant, Johnson of Edgecombe, Joyner of Johnston, Justice, Martin, Maxwell, McCauley and Williamson—11.

Mr. Loftin presented report of special committee to investigate the contract of the Public Printer, which he moved to transmit to the Senate with proposition to print. It was so ordered.

Mr. McNeill moved to reconsider the vote by which substitute to Senate bill to change Sampson county from the 4th to the 5th judicial district passed third reading; which motion prevailed.

Mr. Loftin moved to reconsider the vote by which House bill to amend chapter 24, of laws of 1865–'66, passed third reading, and the motion prevailed.

H. B. to amend an act to authorize the Judges of Probate, &c., chapter 188, section 1, of acts of 1869–'70, was taken up, passed second and third readings and ordered engrossed.

S. B. to amend the charter of the Rockfish Manufacturing Company, of Fayetteville, was taken up, passed second and third readings and ordered enrolled;

H. B. for the support of the Deaf, Dumb and Blind Institute, was taken up, passed second and third readings and ordered engrossed;

The special order being bill to change the time of holding the courts in the 10th and 11th judicial districts, was taken up and,

On motion of Mr. Houston, made the special order for Friday next, at 11:30, A. M.

S. B. to prevent the killing of deer recklessly, was,

On motion of Mr. Robinson, taken from the table.

On motion of Mr. Ashe, Senate bill to enable the Wilming-

ton, Charlotte and Rutherford Railroad Company to complete its road, and to build the same to the Tennessee line, was recommitted to the committee on internal improvements.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to amend chapter 63, private laws, 1870–'71, entitled an act to incorporate the town of Kernersville;

An act to provide for the publication of an act to alter the constitution of North Carolina;

An act to incorporate the Murphy Mills Manufacturing Company, in the county of Cumberland;

An act to incorporate the Fayetteville Road Steamer Company;

An act to incorporate the town of Boone, in Watauga county;

An act to charter the town of Dallas;

An act to incorporate Prospect Lodge, No. 311, F. and A. M., of the county of Rowan;

An act to incorporate the Victor Fire Company No. 1, of the city of Raleigh;

Resolution in regard to the management of the Penitentiary;

Resolution allowing the Enrolling Clerk to employ assistance;

An act to repeal an act passed at the present session, and ratified January 15th, 1872, entitled an act supplemental to an act to amend the charter of North Western North Carolina Railroad Company and for other purposes, and to fill up certain blanks, and they were ratified.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to change the time of the annual meeting of the board of directors of the Insane Asylum;

H. B. to be entitled an act with regard to bills of costs;

H. B. to amend an act to promote and encourage the planting of oysters and clams;

H. B. to incorporate Asheville Council No. 4, Friends of Temperance, in Asheville, N. C.;

H. B. amendatory of an act to incorporate the Hiwasse and Cheoah Turnpike Company;

H. B. to incorporate the town of Cherryville, in Gaston county, and

H. B. to change the line between the counties of Ashe and Alleghany, and

A message was sent transmitting the same to the Senate for concurrence:

A message was received from the Senate transmitting for concurrence:

S. B. to incorporate Atlantic Lodge, No. 294. Read and referred to committee on corporations;

S. B. to regulate the proceedings in *mandamus*. Read and referred to judiciary committee;

S. B. to incorporate Siloam Lodge, 178, Free and Accepted Masons. Read and referred to committee on corporations;

S. B. to incorporate Hook and Ladder Company, No. 1, of the city of Raleigh. Read and referred to committee on corporations;

S. B. to provide for the levying and collecting of taxes in the city of Charlotte. Read and referred to committee on counties, towns, &c.;

S. R. on the subject of the Dismal Swamp Canal. Read and placed on the calendar;

S. R. to allow Engrossing Clerk of the Senate additional clerical assistance. Read and placed on the calendar;

S. B. to create a finance committee in the several counties of the State. Read and referred to committee on corporations, and

Senate amendments to House bill to amend an act to restore and re-instate records of the several courts destroyed during the late war.

The second special order (being House bill concerning the debt of the State,) was taken up, the question being on the adoption of the substitute of Mr. Welch,

Mr. Johnston, of Buncombe, offered an amendment.

Mr. Ashe called the previous question, which was ordered.

Mr. Welch called the ayes and noes on the amendment of Mr. Johnston, and it was not adopted. Ayes 42; Noes 54.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Broadfoot, Bryant of Halifax, Crawford, Currie, Dickey, Drake, Dunham, Gore, Grayson, Johnston of Buncombe, Johns, Joyner of Pitt, Jordan, Kelly of Davie, Kelsey, Luckey, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Phillips, Rankin, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stewart, Tucker of Iredell, Waring, Withers, Womack, Woodhouse and Williamson—42.

Noes.—Messrs. Atwater, Bean, Brooks, Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gullick, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnson of Edgecombe, Joyner of Johnston, Justice, Kelly of Moore, Kincaid, Lassiter, Loftin, Lucas, Lyon, Mabson, Marler, Morris, Morgan of Montgomery, Powell, Reavis, Regan, Robbins, Smith of Halifax, Stanford, Strudwick, Welch, Willis, Wilcox, Young of Wake and York—54.

Mr. Welch then called the ayes and noes on the adoption of his substitute.

The call was sustained and the substitute rejected. Ayes 50; Noes 53.

Ayes—Messrs. Atwater, Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gullick, Guyther, Harris of Guilford, Hargrove, Hardy, Hinnant, Johnson of Edgecombe, Johns, Joyner of Johnston, Justice, Kelly of Davie, Kincaid, Loftin, Lucas, Lyon, Martin, Mabson, Marler, Morris, Morgan of Montgomery, Powell, Reavis, Regan, Robbins, Settle, Strudwick, Sykes, Tucker of Craven, Welch, Willis, Wilcox and York—50.

Noes—Messrs. Anderson, Armstrong, Ashe, Bean, Broadfoot, Bryant of Halifax, Chamberlain, Crawford, Currie, Dar-

den, Dickey, Drake, Dunham, Faulkner, Gore, Grayson, Hampton, Henderson, Houston, Johnston of Buncombe, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Lassiter, Luckey, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Page, Phillips, Rankin, Reid, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Withers, Womack, Woodhouse, Williamson and Young of Wake—53.

The question recurring on the passage of the bill, the ayes and nays were called and the bill passed. Ayes 49; Noes 45.

Ayes—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Crawford, Currie, Darden, Dickey, Drake, Dunham, Furr, Gore, Grayson, Hampton, Henderson, Hinnant, Johnston of Buncombe, Johns, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Luckey, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Page, Phillips, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Tucker of Iredell, Withers, Womack and Williamson—49.

Noes—Messrs. Atwater, Bean, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Collis, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Gullick, Guyther, Harris of Guilford, Hargrove, Hardy, Houston, Johnson of Edgecombe, Justice, Lassiter, Loftin, Lucas, Lyon, Martin, Mabson, Marler, Powell, Reavis, Robbins, Settle, Smith of Halifax, Strudwick, Sykes, Tucker of Craven, Waring, Welch, Willis, Wilcox, Woodhouse, Young of Wake and York—45.

Mr. Phillips, by consent, introduced a bill making indictable the felling of trees in Neuse river. Read and referred to the committee on counties, towns, &c.

Mr. Settle: A bill for the relief of T. W. Patterson, late sheriff of Rockingham county. Read and, by request, placed on the calendar.

Mr. Dunham: A bill amendatory of an act to incorporate "the Bank of the State," ratified January —, 1872. Read and placed on the calendar.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported, by consent, favorably on

H. B. to re-enact and continue in force an act to empower the commissioners of Cumberland county to levy a special tax; and

H. B. to authorize the commissioners of Onslow county to levy a special tax.

Mr. Justice called for a verification of the vote by which House bill concerning the debt of the State passed second reading.

The call was sustained and Messrs. Justice and Dunham were appointed to verify, and reported the vote as taken correctly.

Mr. Scott, by consent, introduced a bill for the relief of Bryan Kellum, which was read and referred to the committee on propositions and grievances.

On motion the House adjourned.

WEDNESDAY, JANUARY 24th, 1872.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from Committee on Corporations, reported favorably on

S. B. to incorporate the Guilford County Co-operative Association;

S. B. to incorporate Atlantic Lodge, No. 294;

S. B. to incorporate Siloam Lodge, No. 178;

S. B. to incorporate the Cape Fear Towing and Atlantic Coast Wrecking Company in the city of Wilmington ;

S. B. to incorporate the Thompson Institute ;

S. B. to incorporate the People's Building and Loan Association of Oxford ;

S. B. to create a Finance Committee in the several counties of the State ;

H. B. to incorporate the Henderson Savings and Loan Association, of Hendersonville, N. C. ; and

An amendment to S. B. to incorporate Hook and Ladder Company of the city of Raleigh.

Mr. Sparrow, from the Committee on the Judiciary, reported favorably on H. B. to confer powers on County Commissioners in certain cases, and on

H. B. to amend section 49, chapter 201, laws of 1868–69.

Mr. Anderson, from Committee on Counties, Towns, &c., reported a substitute to H. B. to legalize the acts of George D. Reynolds, entry taker, for claims of land in Alleghany county.

Mr. Goodwin, by leave, recorded his vote in the affirmative on Mr. Welch's substitute to bill concerning the debt of the State, and in the negative on the passage of the bill.

Messrs. Morris and Heaton, by consent, recorded their votes in the negative on the passage of the same bill, and

Messrs. Jones of Caldwell, and Clinard, in the affirmative on the same bill.

Messrs. Johnston, of Buncombe, McAfee and Morris reported absent on committee duty.

INTRODUCTION OF BILLS.

By Mr. Waring: A bill concerning jurors. Read and referred to the judiciary committee.

By Mr. Reagan : A bill to prevent fraud in the sale of commercial fertilizers. Read and referred to the committee on propositions and grievances.

By Mr. Crawford: A bill to amend the charter of the town of Salisbury, (section 19), read and placed on calendar.

By Mr. Reid: A bill to authorize E. C. Grier, late sheriff of Mecklenburg county, to collect arrears of taxes. Read and referred to finance committee.

By Mr. Hampton: A bill, with a petition, to prevent the sale of spirituous liquors within two miles of Mount Airy, Surry county. Read and referred to committee on propositions and grievances.

CALENDAR.

The Senate amendments to House bill to amend an act to restore and reinstate the records of the several courts destroyed during the late war, were taken up and concurred in.

H. B. to incorporate the Carolina Narrow Guage Railroad Company, was taken up on third reading and passed. Ayes 56; Noes 22.

AYES.—Messrs. Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryan of Jones, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Fletcher, Gambrel, Garrison, Gore, Gullick, Grayson, Harris of Guilford, Hardy, Houston, Johns, Jones of Caldwell, Jones of Northampton, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Maxwell, Mills, Mitchell, Powell, Rankin, Reid, Regan, Robbins, Robinson, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Wilcox, Womack and Woodhouse—56.

NOES.—Messrs. Chamberlain, Dudley, Duckworth, Dunham, Ellison, Faulkner, Furr, Guyther, Hampton, Hargrove, Hinnant, Johnson of Edgecombe, Joyner of Johnston, Joyner of Pitt, Martin, Marler, McAllister, Morgan of Montgomery, Settle, Smith of Halifax, Withers and York—22.

H. B. to prevent the sale of intoxicating liquors within one mile of Island Creek Academy, in Duplin county, was taken

up and passed second and third readings, and ordered engrossed.

H. B. to amend section 19 of the charter of the town of Salisbury, was taken up and passed second and third readings and ordered engrossed.

H. B. to lay off and construct a road from Jefferson to the mouth of Phœnix creek, in Ashe county, was taken up and passed second and third readings and ordered engrossed.

H. B. to continue in force an act to authorize the commissioners of Cumberland county to levy a special tax, was taken up and passed second reading. Ayes 69 ; Noes 4.

Ayes—Messrs. Anderson, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Bryant of Halifax, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gullick, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Houston, Hinnant, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Lyon, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Nisson, Powell, Rankin, Reid, Regan, Robbins Robinson, Scott, Shull, Smtih of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and York —69.

Noes—Messrs. Faulkner, Martin, Smith of Halifax and Williamson—4.

Special order, being Senate bill concerning representation in the House of Representatives, was taken up on third reading and passed under a call for the ayes and noes. Ayes 60 Noes 31.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Martin,

Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Wilcox, Womack, Woodhouse and York—60.

NOES—Messrs. Bean, Brooks, Brown, Bryan of Jones, Bunn, Buxton, Carson, Collis, Copeland, Darden, Dudley, Duckworth, Ellison, Faulkner, Garrison, Guyther, Hargrove, Hardy, Heaton, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven and Willis—31.

H. B. to amend an act for the protection of mechanics and other laborers, materials, &c., was taken up and passed second and third readings and ordered engrossed.

H. B. to lay off and construct a road from Phillips' Gap to Hamilton's Mills, in Ashe county, was taken up and passed second and third readings and ordered engrossed.

The second special order, being Senate bill to change Sampson county from the 4th to the 5th judicial district, was taken up, the question being on the substitute offered by Mr. Broadfoot.

Mr. McNeill offered an amendment, which was not adopted.

Mr. Fletcher moved to lay the bill on the table, which did not prevail.

The substitute was adopted and passed the third reading.

Mr. Broadfoot moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

The motion to table prevailed and the bill was ordered engrossed.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to incorporate the Raleigh and Fayetteville Railroad Company;

H. B. to incorporate the Board of Trade of the city of Raleigh;

H. R. concerning clerical aid;

H. B. for the relief of tax payers of Madison county;

H. B. to amend section 131, Code of Civil Procedure.

Mr. Clinard, from the same committee reported on:

H. B. to incorporate the New River Canal Company;

H. B. to authorize the commissioners of Union county to levy a special tax;

H. B. to amend section 2, chapter 66, public laws of 1869-'70, and a message was sent transmitting the same to the Senate for concurrence.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to incorporate Davidson High School, near Teaguetown, in Davidson county;

An act to incorporate the Old North State Insurance Company;

An act to incorporate the Wilson Collegiate Institute;

An act to incorporate the Warrenton and Shocco Turnpike Company;

An act to raise revenue;

An act to incorporate the Wilmington Mutual Insurance Company;

An act to provide for the laying off and construction of a public highway in the counties of Burke and Mitchell;

An act to incorporate the Newbern Educational Association;

An act to incorporate a Literary and Dramatic Association in the town of Fayetteville;

An act to amend and extend the charter of the Rockfish Manufacturing Company, of Fayetteville;

An act in favor of E Murrell, sheriff of Onslow;

An act to make Reedy Creek a lawful fence;

An act to authorize the commissioners of Haywood county to sell a portion of the poorhouse lands;

An act to provide for the service of process issuing from courts of justices of the peace, where one or more of the defendants may reside out of the county in which the action is brought.

An act to incorporate the Oak City Savings Bank;

An act to provide for the draining of the Mattamuskeet lake;

An act to amend an act entitled an act to amend the charter of the Caldwell and Watauga Turnpike Company;

An act supplemental to an act to incorporate the Elizabeth City and Norfolk Raiload Company;

An act to provide for the support of the Insane Asylum; and

Resolution for the relief of T. F. Baxter, sheriff of Currituck, and A. Murray, sheriff of Alamance county, and they were ratified.

H. B. to authorize the commissioners of Camden county to levy a special tax, was taken up and passed second reading. Ayes 59; Noes 10.

AYES.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Gambrel, Garrison, Gatling, Gore, Grayson, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy Heaton, Henderson, Hinnant, Johns, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Justice, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Lyon, Maxwell, McAllister, McNeill, Mitchell, Powell, Rankin, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Stewart, Tucker of Iredell, Tucker of Craven, Womack and York—69.

Noes.—Messrs. Brown, Dudley, Faulkner, Hampton, Jones of Caldwell, Martin, Mabson, Marler, Nicholson and Woodhouse—10.

S. R. in favor of W. E. Anderson was taken up, passed second and third readings and ordered enrolled.

H. B. to define and punish embezzlement, was taken up, passed second and third readings, and ordered engrossed.

S. B. to incorporate the Jamestown Copper Company, was

taken up, passed second and third readings and ordered enrolled.

S. B. to prevent the killing of deer recklessly was taken up.

Several amendments exempting counties were adopted and the bill passed with amendments and ordered engrossed.

H. B. to authorize the commissioners of Onslow to levy a special tax, was taken up and passed second reading. Ayes 72; Noes 7.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Bryan of Jones, Buxton, Carson, Chamberlain, Clinard, Collis, Copelend, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery Mills, Mitchell, Nisson, Powell, Rankin, Regan, Scott, Shull, Smith of Anson, Smith of Halifax, Stanford, Tucker of Iredell, Tucker of Craven, Withers, Womack, Woodhouse and York—72.

NOES—Messrs. Brown, Bunn, Dudley, Martin, Marler, Nicholson and Williamson—7.

S. R. concerning the payment of funds collected on account of the Marion and Asheville Turnpike, was taken up, passed second and third readings and ordered enrolled.

S. B. to incorporate the Hollywood Cemetery, was taken up and passed second and third readings and ordered enrolled.

S. B. to allow county commissioners to extend the time for collecting taxes, was taken up, passed second and third readings and ordered enrolled.

S. B. to exchange stocks of the State for bonds for which such stocks were obtained and for other purposes, was taken up and passed third reading. Ayes 82; Noes 8.

AYES.—Messrs. Anderson, Armstrong, Ashe, Atwater,

Bean, Brooks, Broadfoot, Brown, Buxton, Cawthorn, Carson, Clinard, Crawford, Currie, Darden, Dickey, Duckworth, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Heaton, Henderson, Houston, Hinnant, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Nisson, Page, Rankin, Reid, Regan, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker of Iredell, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse, Williamson and York—82.

Noes.—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Chamberlain, Copeland, Gullick, Joyner of Johnston and Kincaid—8.

A message was received from the Senate transmitting for concurrence:

S. B. to charter the bank of Reidsville. Read and referred to committee on corporations;

S. R. in relation to the Cape Fear Harbor. Read and placed on the calendar;

S. B. to allow the commissioners of Anson county to levy a special tax. Read and placed on the calendar;

S. B. to incorporate the Wilmington and Charlotte Railway Building Company. Read and referred to committee on internal improvements;

S. B. to authorize the commissioners of Pasquotank county to issue bonds and for other purposes. Read and placed on the calendar;

S. B. to incorporate the town of Battleboro'. Read and referred to committee on corporations;

S. R. in regard to Lovejoy Academy. Read and referred to the finance committee;

S. B. to authorize the commissioners of Brunswick county to issue bonds. Read and placed on the calendar;

S. B. to authorize the commissioners of Stokes county to issue bonds. Read and placed on the calendar;

S. B. to charter the Upper Division of the Yadkin River Railroad Company. Read and referred to committee on internal improvements, and

S. B. to amend an act entitled an act to authorize the commissioners of Bertie county to issue bonds. Read and placed on the calendar.

H. B. to amend the charter of Hickory Tavern, was taken up, amendments offered by the committee were adopted, and the bill passed second and third readings and ordered engrossed.

On motion of Mr. Sykes, House bill to amend an act to incorporate the Land and Lumber Company of North Carolina, was taken up, passed second and third readings and ordered engrossed.

S. B. supplementary to an act to incorporate the Bank of the State, was taken up, passed second and third readings and ordered enrolled;

S. B. to authorize the Secretary of State to issue a patent for L. Cahoon, was taken up, passed second and third readings and ordered enrolled.

S. B. to incorporate the Guilford County Co-operative Association, was taken up, passed second and third readings and ordered enrolled.

Mr. Jones, of Calwell, moved that when the House adjourn, it do so to meet at 7 o'clock this evening, and the motion prevailed.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to amend an act entitled an act to amend chapter 188, section 1, of acts of 1869–'70;

H. B. to be entitled an act making an appropriation for the Deaf, Dumb and Blind Institution;

An amendment to Senate bill, to change Sampson county from the 4th, to the 5th Judicial District, and

A message was sent transmitting the same to the Senate for concurrence.

A message was received from the Senate transmitting the following bills asking the concurrence of the House therein:

S. B. to regulate and better protect the Public Libraries. Read and referred to the committee on the library;

S. B. to repeal chapter 44, Private Acts of 1861. Read and referred to the judiciary committee, and

S. B. to incorporate Old Fort and Toe River Turnpike company. Read and referred to committee on corporations.

On motion, the House adjourned to meet again at 7 o'clock, P. M.

WEDNESDAY, January 24th, 1872.

EVENING SESSION.

The House met pursuant to adjournment.

S. B. to amend the charter of the city of Charlotte, was taken up and passed second and third readings and ordered enrolled.

Mr. Welch, from Committee on Internal Improvements, reported favorably on

Bill to re-enact chapter —, laws of 1868-'69, to revise and amend an act to charter the Tuckasegee and Nantahala Turnpike Company;

S. B. to incorporate the Yadkin and Dan River Railroad Company;

Amendments to Senate bill to incorporate the Brevard and Waynesville Turnpike Company; and

Amendments to Senate bill to enable the Wilmington, Charlotte & Rutherford Railroad Company to complete its road and finish the same to the Tennessee line.

Mr. Ashe, by consent, introduced a bill to incorporate the

Cape Fear Club. Read and referred to the committee on corporations.

Mr. Reid, from the Committee on Finance, reported favorably on

Bill to authorize E. C. Grier, late sheriff of Mecklenburg county, to collect arrears of taxes, and

H. B. to be entitled an act in regard to county taxes.

S. B. to authorize the commissioners of Nash county to levy a special tax, was taken up and passed third reading and ordered enrolled. Ayes 63; Noes 21.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks. Broadfoot, Bryan of Jones, Buxton, Cawthorn, Carson, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Goodwin, Gullick, Grayson, Guyther, Hargrove, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincaid, Lassiter, Lottin, Lucas, Lyon, Maxwell, McNeill, Mitchell, Nisson, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Welch, Withers, Womack, Woodhouse and York—63.

Noes.—Messrs. Brown, Faulkner, Fletcher, Johnson of Edgecombe, Mabson, Marler, Morris, Morgan of Montgomery, Reavis, Smith of Halifax and Tucker of Craven—11.

H. B. to annex a part of Macon county to Clay county was taken up.

Mr. Robinson moved to postpone indefinitely, which did not prevail.

The bill then passed second and third readings and ordered enrolled.

Mr. Anderson moved to reconsider the vote by which the above bill passed its third reading and to lay the motion on the table, and the motion to lay on the table prevailed.

Mr. Rankin, from the Committee on Salaries and Fees, reported unfavorably on bill concerning the custody of weights and measures.

H. B. to incorporate the Clarendon Military Academy, was taken up and passed second and third readings and ordered engrossed.

H. B. to incorporate the Cumberland County Agricultural Society was taken up and passed second and third readings and ordered engrossed.

H. B. to incorporate the Little Coharie Draining Company, was taken up and passed second and third readings and ordered engrossed.

H. B. to prevent the sale of intoxicating liquors within the town of Swansboro', or within six miles thereof, in Onslow county, was taken up and passed second and third readings and ordered engrossed.

H. B. for the relief of Bryan Kellum, was taken up and passed second and third readings and ordered engrossed.

H. B. to authorize the construction of a toll bridge across the Cape Fear river, at Lillington, in Harnett county, was taken up and passed second and third readings and ordered engrossed.

S. R. in regard to the Dismal Swamp Canal, was taken up and adopted.

S. B. to incorporate the Cape Fear Towing and Atlantic Coast Wrecking Company, of the city of Wilmington, was taken up and passed second and third readings and ordered enrolled.

H. B. to amend and extend the charter of Cape Fear Lodge I. O. O. F., of Wilmington, was taken up and passed second third readings and ordered engrossed.

H. B. to allow Simon Goodwin, tax collector, to collect arrears of taxes was taken up and, on motion, laid on the table.

H. B. to incorporate Stonewall Lodge, No. 1, Knights of Pythias, was taken up and passed second and third readings and ordered engrossed.

H. R in favor of John H. Hill, was taken up, passed second reading and, on motion, referred to the finance committee.

H. B. to legalize the acts of certain county officers of Macon and Jackson counties, pending the organization of Swain county, was taken up and passed second and third readings and ordered engrossed.

H. B. in favor of T. W. Patterson, late sheriff of Rockingham county, was taken up and, on motion, laid on the table.

H. B. to authorize E. C. Grier, late sheriff of Mecklenburg cuonty, to collect arrears of taxes was taken up and passed second and third readings and ordered engrossed.

H. R. in favor of T. S. Siler and J. N. Siler, executors of Jacob Siler, deceased, was taken up and passed second and third readings and ordered engrossed.

H. B. concerning the poorhouse of Surry county, was taken up and passed second and third readings and ordered engrossed.

H. B. to incorporate the Hornet Fire Company, No. 1, of the city of Charlotte, was taken up, passed second and third readings and ordered engrossed.

H. B. to legalize the acts of George D. Reynolds, entry taker for lands in Alleghany county, was taken up, the substitute offered by the committee was adopted, passed second and third readings and ordered engrossed.

H. B. to require sheriffs to advertise sales of real estate in a newspaper in the county, was taken up and, on motion, laid on the table.

H. B. to change the line between Cherokee and Swain counties was taken up, passed second and third readings and ordered engrossed.

Mr. Loftin then moved to adjourn.

Mr. ——— called the ayes and noes, and the House refused to adjourn. Ayes 17; Noes 62.

AYES—Messrs. Anderson, Bean, Bunn, Buxton, Cawthorn, Copeland, Crawford, Goodwin, Harris of Guilford, Loftin, Lyon, Page, Robinson, Stanford, Tucker of Craven, Withers and Williamson—17.

NOES—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Brown, Carson, Chamberlain, Clinard, Collis, Darden,

Dickey, Drake, Dunham, Faulkner, Gambrel, Garrison, Gatling, Gore, Gullick, Gregory, Guyther, Hampton, Hardy, Heaton, Henderson, Houston, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kincaid, Lassiter, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Nicholson, Rankin, Reid, Regan, Robbins, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stewart, Sykes, Tucker of Iredell, Waring, Wilcox, Womack, Woodhouse and York—62.

Messrs. Johnston, of Buncombe, McAfee and Morris were reported absent on committee duty.

H. B. to incorporate the town of Lillington, in the county of Harnett, was taken up, and amendment reported by the committee was adopted, and bill passed second reading. Ayes 46; Noes 25.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Carson, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Hardy, Heaton, Henderson, Houston, Hinnant, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelsey, Kincaid, Lassiter, Maxwell, McAllister, Mitchell, Reid, Regan, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell and Womack—46.

NOES—Messrs. Bean, Brown, Bunn, Buxton, Faulkner, Goodwin, Guyther, Hargrove, Johnson of Edgecombe, Lyon, Marler, McCauley, Mills, Nicholson, Page, Robbins, Smith of Halifax, Sykes, Welch, Withers, Willis, Wilcox, Woodhouse, Williamson and York—25.

S. B. to incorporate Siloam Lodge, No. 178, Free and Accepted Masons, was taken up, passed second and third readings, and ordered enrolled.

S. B. to authorize the Commissioners of Stokes county to issue bonds, was taken up and passed second reading. Ayes 58; Noes 16.

AYES—Messrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Cawthorn, Carson, Collis, Crawford, Currie, Darden, Dickey, Drake, Dunham, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Hargrove, Hardy, Heaton, Henderson, Houston, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kincaid, Lassiter, Lucas, Luckey, Lyon, Maxwell, McCauley, McNeill, Mills, Mitchell, Nicholson, Nisson, Rankin, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Sykes, Tucker of Iredell, Withers, Womack and Woodhouse—58.

NOES—Messrs. Bean, Brown, Bunn, Buxton, Copeland, Faulkner, Goodwin, Harris of Franklin, Johnson of Edgecombe, Marler, Page, Smith of Halifax, Tucker of Craven, Willis, Williamson and York—16.

On motion, the House adjourned.

THURSDAY, JANUARY 25TH, 1872.

The House met at 10 o'clock, A. M., Mr. Robinson in the Chair.

Prayer by Rev. Dr. Mason of the city.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Stanford, from the Committee on finance, reported favorably on bill to authorize the commissioners of Greene county to levy a special tax.

Mr. Welch, from the Committee on Internal Improvements, reported favorably on

S. B. 223 to charter the upper division of the Yadkin Railroad Company, and also favorably on

S. B. 304 to incorporate the Wilmington and Charlotte Railway Company, and recommended their passage.

Mr. Ashe, from the Committee on Finance, reported, asking discharge from consideration of Senate resolution in relation to refunding the tax on raw cotton by the United States.

Messrs. Johnston, of Buncombe, McAfee and Morris were reported absent on committee.

BILLS.

By Mr. Stanford: A bill to incorporate the town of Faison, in Duplin county. Read and referred to committee on counties, towns, &c.

By Mr. Bean: A bill requiring judges of probate to appoint commissions to take the privy examination of married women. Read and referred to judiciary committee.

By Mr. Sparrow: A bill to amend chapter 178 of an act ratified 12th of April, 1868, entitled "an act of proceedings in criminal cases." Read and placed on the calendar.

By the same: A memorial from citizens of Lenoir county.

By Mr. McNeill: A bill concerning the Robeson county outlaws. Read and placed on the calendar.

By Mr. Sparrow: A report from the Committee on the Judiciary, favorably on Senate bill in relation to certain vacant lands, and on Senate bill to regulate proceedings in *mandamus*.

CALENDAR.

S. B. to allow the commissioners of Anson county to levy a special tax, was taken up and passed second reading. Ayes 65; Noes 10.

Ayes—Messrs. Ashe, Atwater, Bean, Brooks, Broadfoot, Buxton, Cawthorn, Chamberlain, Clinard, Collis, Copeland, Crawford, Darden, Drake, Duckworth, Dunham, Ellison, Furr, Garrison, Gatling, Gore, Gullick, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Houston, Hinnant, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kincaid, Lassiter, Loftin, Lucas, Lyon, Maxwell,

McAllister, McCauley, McNeill, Morgan of Montgomery, Mitchell, Rankin, Reid, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—65.

Noes.—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Faulkner, Johnson of Edgecombe, Martin, Marler, Nicholson and Smith of Halifax—10.

H. B. to authorize the commissioners of Franklin county to transfer a certain lot of land to the trustees of Trinity Church, was taken up and passed second and third readings and ordered to be engrossed.

S. B. to create a finance committee in the several counties, was taken up and passed second and third readings and ordered to be enrolled.

H. R. to authorize the commissioners of Camden to levy a special tax, on third reading, was taken up and passed and ordered to be enrolled. Ayes 60; Noes 11.

Ayes—Messrs. Anderson, Ashe, Atwater, Brooks, Broadfoot, Cawthorn, Carson, Chamberlain, Clinard, Collis, Copeland, Currie, Darden, Dickey, Drake, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hargrove, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Mabson, Maxwell, McAllister, Morgan of Montgomery, Mitchell, Nisson, Rankin, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Wayne, Stanford, Stewart, Sykes, Tucker of Iredell, Withers and York—60.

Noes—Messrs. Brown, Bunn, Dunham, Faulkner, Fletcher, Johnson of Edgecombe, Martin, Page, Reavis, Smith of Halifax and Woodhouse—11.

H. B. to continue in force an act to authorize the Commissioners of Cumberland to levy a special tax, was taken up on third reading and passed. Ayes 61; Noes 10.

Ayes—Messrs. Anderson, Armstrong, Ashe Atwater, Bean,

Brooks, Broadfoot, Carson, Chamberlain, Clinard, Collis, Copeland, Currie, Dickey, Drake, Duckworth, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Hampton, Hargrove, Hardy, Henderson, Hinnant, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Mabson, Maxwell, McAllister, McNeill, Morgan of Montgomery, Mills, Mitchell, Reid, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Tucker of Iredell, Withers, Womack, Woodhouse and York —61.

NOES—Messrs. Brown, Bunn, Dudley, Dunham, Faulkner, Johnson of Edgecombe, Marler, Nicholson, Smith of Halifax, and Williamson—10.

And ordered to be engrossed.

H. B. to authorize the Commissioners of Onslow county to levy a special tax, was taken upon third reading, passed and ordered to be engrossed. Ayes 67; Noes 9.

AYES—Messrs. Anderson, Armstrong, Ashe, Bean, Brooks, Buxton, Carson, Clinard, Collis, Copeland, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Hargrove, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Loftin, Lucas, Luckey, Mabson, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nisson, Rankin, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—67.

NOES—Messrs. Brown, Bunn, Dudley, Ellison, Faulkner, Johnson of Edgecombe, Marler, Smith of Halifax and Tucker of Craven—9.

H. B. to authorize the levy of a special tax in the county of Greene was taken up, amendment reported by the com-

mittee was concurred in, and bill passed second reading. Ayes 64; Noes 9.

Ayes—Messrs. Anderson, Ashe, Bean, Brooks, Broadfoot, Buxton, Cawthorn, Clinard, Collis, Copeland, Currie, Darden, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nisson, Rankin, Regan, Robbins, Robinson, Scott, Shull, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—64.

Noes—Messrs. Brown, Bunn, Dudley, Faulkner, Johnson of Edgecombe, Martin, Marler, Smith of Halifax and Willis—9.

H. B. Concerning the Robeson county outlaws, was taken up, on motion.

Mr. Mills moved to amend, making the reward ten thousand dollars, for Henry Berry Lowery, and five thousand dollars for each of the others mentioned in the bill; which, under a call for the ayes and noes, was adopted. Ayes 74; Noes 18.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Bunn, Buxton, Cawthorn, Clinard, Collis, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth. Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatlin, Goodwin, Gore, Gullick, Gregory, Guyther, Hardy, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Maxwell, McAfee, McAllister, McNeill, Morgan of Montgomery, Mills, Nicholson, Powell, Reid, Regan, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker of Iredell, Waring, Wilcox, Womack and Woodhouse—74.

NOES—Messrs. Carson, Chamberlain, Hampton, Hargrove, Heaton, Johnson of Edgecombe, Mabson, Marler, Morgan of Wake, Mitchell, Nisson, Page, Reavis, Robbins, Robinson, Tucker of Craven, Willis and York—18.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on

H. B. 386, to incorporate the trustees of the Catawba Valley Academy, in Catawba county;

H. B. 387, to incorporate the town of Catawba, in Catawba county;

H. B. 327, to incorporate the Hilton Camp Ground;

H. B. 460, to incorporate the Cape Fear Club corporations, and on

S. B. to incorporate the town of Battleboro', with an amendment.

Mr. Stanford, from the Committee on Propositions and Grievances, returned the petition of John A. Richardson, solicitor of 4th district, and asked to be discharged from the further consideration of the same.

Mr. Page offered a proviso to the bill concerning the Robeson county outlaws, which was not adopted.

Mr. Sykes moved to amend by inserting a reward of five thousand dollars for the muderers of Jno. W. Stevens, on which the ayes and noes were called and the amendment did not prevail. Ayes 35; Noes 61.

AYES.—Messrs. Bean, Brooks, Brown, Bunn, Buxton, Chamberlain, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Johns, Loftin, Martin, Mabson, Morgan of Montgomery, Morgan of Wake, Nisson, Page, Phillips, Reavis, Robbins, Smith of Halifax, Sykes and Williamson—35.

NOES.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Henderson, Houston, Hinnant, Jones of

Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Willis, Wilcox, Womack, Woodhouse and York—61.

And the bill passed second reading.

Mr. Page offered a substitute, which was not adopted, and the bill passed third reading. Ayes 85 ; Noes 10.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Buxton, Cawthorn, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Goodwin, Gore, Gullick, Grayson, Gregory, Guyther, Harris of Guilford, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nicholson, Nisson, Phillips, Powell, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Willis, Wilcox, Womack, Woodhouse and Williamson—85.

NOES—Messrs. Bryan of Jones, Bunn, Carson, Hargrove, Heaton, Johnson of Edgecombe, Marler, Page, Reavis and York—10.

The vote was reconsidered, and the motion to reconsider laid on the table.

The following was announced from the chair: Messrs. McAllister and Rankin are added to the Committee on Enrolled Bills for the remainder of the session.

Leave of absence was granted Mr. Loftin until Monday next.

Mr. Stanford, from the Committee on Finance, reported favorably on House resolution in favor of John H. Hill, Sergeant-at-Arms.

Mr. Jordan, from the Committee on Internal Improvements, reported favorably on Senate bill 74, to authorize the formation of railroad corporations, and to regulate the same.

Mr. Ashe, from the Committee on Finance, reported favorably on Senate resolution 201, in regard to the Lovejoy Academy.

A message was received from the Senate transmitting for concurrence :

S. B. to incorporate the Newbern and Beaufort Canal Company ; which was read and referred to the committee on corporations.

S. B. to authorize the Wilmington, Charlotte & Rutherford Railroad Company to complete its road and build the same to the Tennessee line, was taken up.

The amendments offered by the Committee on Internal Improvements were adopted.

Mr. Broadfoot offered an amendment, which was adopted, and the bill passed second and third readings and the amendments ordered to be engrossed.

On motion of Mr. Ashe, the vote was reconsidered and the motion laid on the table.

Mr. Womack introduced a bill to prevent the sale of intoxicating liquors within three miles of Pittsboro'; which was read and referred to the committee on propositions and grievances.

The special order, being the substitute, which was adopted, from the committee, to a bill to protect the interest of policy holders, was taken up, the question recurring on the amendment of Mr. Nicholson to strike out in section 10, "5 per cent" and insert "25 per cent." Passed over for the present.

S. R. of instruction to the Committee on Printing was taken up and passed.

The bill to protect the interest of policy holders in the State was again considered.

Mr. Currie, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

An act concerning representation in the House of Representatives;

An act to incorporate the Murphy and Tennessee Turnpike Company;

An act to amend an act to restore and reinstate records of the several courts in the State destroyed during the late war;

An act to empower the county commissioners to extend the time for collecting the county taxes;

An act to incorporate the Neuse River Ferry Company of North Carolina;

An act to incorporate Siloam Lodge, No. 178, F. and A. Masons, in the county of New Hanover;

An act to amend the charter of the city of Charlotte;

An act to authorize the commisioners of Nash county to levy a special tax;

An act to incorporate the town of Catawba Vale, in the county of McDowell;

An act to amend an act entitled an act to incorporate the Beaver Creek Manufacturing Company, in the county of Cumberland;

Resolution supplemental to a resolution concerning the payment of the funds in the treasury collected on account of the Marion and Asheville Turnpike Company, ratified 9th January, 1872;

Resolution in favor of W. E. Anderson;

Resolution of instruction and request to North Carolina Senators and Representatives in Congress.

These bills and resolutions were ratified.

Mr. Kincaid, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. 47 to annex a part of Macon county to Clay county;

H. B. 445, to authorize E. C. Grier, late sheriff of Mecklenburg county, to collect arrears of taxes; and

H. B. 432 to authorize the commissioners of the county of Camden to levy a special tax.

Also, the engrossed amendments to Senate bill 138 (H. B. 261) to prevent the killing of deer recklessly; and a message was sent to the Senate transmitting the same.

On motion the House adjourned to meet at 7 o'clock P. M.

EVENING SESSION.

The House met at 7 P. M.

Mr. Jones, of Caldwell, from the Committee on Immigration, reported on Senate bill to promote immigration and facilitate the settlement of the public lands, unfavorably.

The unfinished business being bill to protect the interest of policy holders was taken up.

The question recurring on the amendment offered by Mr. Nicholson to the substitute offered by the committee, which was adopted, to strike out 5 per cent. and insert 25 per cent., it was adopted, and the bill passed second reading.

The bill being put on its third reading,

Mr. Ashe moved to strike out 25 per cent. in section 10, and insert 10 per cent.; which did not prevail, and the bill passed third reading.

The vote was, on motion, reconsidered, and the motion laid on the table.

Mr. Sykes, by consent, introduced a resolution to appropriate the moneys accruing from the sale of public lands to general educational purposes in the South. Read and placed on the calendar.

Mr. Chamberlain: A bill supplementary to, and amendatory of, an act to incorporate the Orapeake Canal and Turnpike Company.

Mr. McNeill, from the Committee on Propositions and Grievances, reported favorably on

On H. B. 444, to prevent frauds in the sale of commercial fertilizers;

H. B. 446, to prevent the sale of spirituous liquors within one mile of Mt. Airy Male Academy;

H. B. 378, to prohibit the sale of spirituous liquors within two miles of Ock Nock, &c.; and unfavorably on

H. B. 397, to prevent the extermination of partridges.

H. B. to incorporate the Neptune Fire Company of the town of Washington was taken up and passed second and third readings and ordered to be engrossed.

H. B. to incorporate the Cape Fear Club was taken up and passed second and third readings and ordered engrossed.

H. B. to prevent the sale of spirituous liquors within 1½ miles of St. Paul's Church, in the county of Robeson, was taken up and passed second reading.

The bill was amended by inserting Ashepole Baptist Church, in Robeson, passed third reading and was ordered to be engrossed.

H. B. supplementary and amendatory of an act to incorporate the Orapeake Canal and Turnpike Company was taken up and passed second and third readings and ordered to be engrossed.

H. B. to incorporate the Catawba Valley Academy of Catawba county, was taken up, passed second and third readings and ordered to be engrossed.

H. B. to incorporate the Charlotte Hotel Company was taken up, passed second and third readings and ordered engrossed.

H. B. to incorporate the town of Catawba, in Catawba county, was taken up and passed second and third readings and ordered engrossed.

H. B. to prevent the sale of intoxicating liquors within two miles of Shallotte Baptist Church, in the county of Brunswick, was taken up; the substitute reported by the com-

mittee was adopted, passed second reading, and on third reading, Mr. Sykes called the ayes and noes.

The call was sustained and the substitute passed. Ayes 57; Noes 18.

AYES—Messrs. Armstrong, Ashe, Atwater, Bean, Brown, Buxton, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Gambrel, Garrison, Goodwin, Gore, Grayson, Gregory, Hampton, Hardy, Heaton, Houston, Johns, Jones of Northampton, Joyner of Pitt, Kelly of Davie, Kelsey, Kincaid, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morris, Nicholson, Nisson, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Willis, Wilcox, Womack and Woodhouse—57.

NOES—Messrs. Cawthorn, Dudley, Dunham, Ellison, Faulkner, Fletcher, Gullick, Guyther, Hargrove, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Morgan of Montgomery, Robbins, Smith of Halifax, Sykes, Williamson and York—18.

H. B. to incorporate the town of Battleboro' was taken up, amended and passed second and third readings and ordered engrossed.

Resolution in favor of Jno. H. Hill was taken up and adopted.

H. B. to prevent the sale of spirituous liquors within three miles of Pittsboro' was taken up, passed second and third readings and ordered to be engrossed.

S. B. to incorporate the Brevard and Wanesville Turnpike Company was taken up, amendments offered by the committee were adopted and bill passed second and third readings and ordered engrossed.

S. B. to authorize the commissioners of Stokes to issue bonds was taken up and passed third reading. Ayes 47; Noes 14.

AYES—Messrs. Anderson, Armstrong, Ashe, Bean, Brooks, Cawthorn, Carson, Collis, Copeland, Crawford Currie, Dickey,

Drake, Dunham, Furr, Garrison, Gore, Grayson, Guyther, Hargrove, Hardy, Heaton, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Maxwell, McAllister, McCauley, Morris, Morgan of Montgomery, Mills, Nisson, Powell, Regan, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Welch, Withers, Wilcox, Womack and Woodhouse—47.

Noes—Messrs. Brown, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Johnson of Edgecombe, Lassiter, Page, Shull, Smith of Halifax, Tucker of Craven, Willis and Williamson—14.

H. B. to authorize the Commissioners of Montgomery to issue bonds, &c., was taken up and passed third reading. Ayes 57; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Dickey, Dunham, Gambrel, Garrison, Gatling, Gullick, Grayson, Gregory, Guyther, Hargrove, Heaton, Houston, Hinnant, Johnston of Buncombe, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Pitt, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Maxwell, McNeill, Morris, Morgan of Montgomery, Mills, Nisson, Page, Powell, Rankin, Reid, Regan, Robbins, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Womack, Woodhouse, Williamson and York—57.

Noes—Messrs. Brown, Ellison, Faulkner, Johnson of Edgecombe, Marler, Smith of Halifax and Tucker of Craven—7.

S. B. to amend an act to authorize the Commissioners of Bertie county to issue bonds, was taken up and passed second and third readings and ordered enrolled.

H. R. in favor of J. W. Cooper, was taken up on third reading, passed and ordered engrossed.

S. B. to authorize the Commissioners of Pasquotank to issue bonds, was taken up and failed to pass second reading. Ayes

Ayes—Messrs. Armstrong, Buxton, Chamberlain, Clinard,

Collis, Copeland, Crawford, Garrison, Gatling, Gore, Hardy, Morris, Nisson, Phillips, Powell, Stanford, Tucker of Iredell, Withers, Womack and Woodhouse—21.

Noes—Messrs. Ashe, Atwater, Brooks, Brown, Bunn, Carson, Currie, Dickey, Drake, Dudley, Ellison, Faulkner, Fletcher, Furr, Grayson, Gregory, Guyther, Hargrove, Heaton, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Newsome, Nicholson, Page, Rankin, Reavis, Robbins, Settle, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stewart, Sykes, Tucker of Craven, Welch, Willis, Wilcox, Young of Wake and York—55.

Mr. Goodwin, by consent, introduced a bill to incorporate the Halifax and Scotland Neck Railroad Company. Read and referred to the committee on internal improvements.

Mr. McNeill: A bill to repeal section 4, chapter 145, acts of 1867–'8. Read and placed on the calendar.

Mr. Ashe moved to reconsider the vote by which the bill to authorize the Commissioners of Pasquotank county to issue bonds failed to pass second reading, and the motion prevailed; and the bill was, on motion, referred to the committee on finance.

H. B. to create a board of commissioners of Navigation for Ocracoke and Hatteras Inlets, was taken up and passed second and third readings and ordered engrossed;

H. R. in favor of Albert B. Williams and Robert Henley, was taken up and passed second and third readings and ordered engrossed;

H. B. in regard to county taxes was taken up.

Mr. Crawford moved to lay the bill on the table.

On this motion,

Mr. Mills called the ayes and noes. The call was sustained, and the motion prevailed. Ayes 42; Noes 35.

Ayes.—Messrs. Anderson, Armstrong, Bunn, Buxton, Carson, Clinard, Crawford, Currie, Dudley, Dunham, Ellison,

Faulkner, Fletcher, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Grayson, Guyther, Hampton, Hargrove, Hardy, Houston, Johns, Lassiter, Lucas, Marler, Maxwell, McCauley, Nisson, Page, Phillips, Rankin, Robbins, Smith of Halifax, Tucker of Iredell, Tucker of Craven, Withers, Willis and Williamson—42.

Noes.—Messrs. Ashe, Atwater, Brooks, Brown, Chamberlain, Collis, Copeland, Drake, Gregory, Hinnant, Jones of Caldwell, Joyner of Pitt, Kincaid, McAfee, McAllister, McNeill, Morris, Morgan of Montgomery, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Settle, Smith of Anson, Smith of Wayne, Stanford, Stewart, Waring, Welch, Wilcox, Womack, Woodhouse and York—35.

Mr. Tucker, of Craven, moved to adjourn, which did not prevail.

H. B. to amend an act entitled an act concerning the city of Wilmington, was taken up and made the special order for to-morrow at 12 M.

H. B. to protect *bona fide* purchasers of real estate, was taken up, and the substitute offered by the committee was under consideration, when

Mr. McAfee moved to postpone the consideration to Saturday at 11 A. M.

Mr. Page moved to adjourn, and the motion did not prevail.

S. B. to incorporate the Old Fort and Toe River Turnpike Company, was taken up and passed.

Mr. Withers moved to take up House bill concerning the public debt of the State, and make it special order for to-morrow at 1 o'clock P. M., and the motion prevailed.

Mr. ——— moved to adjourned, and the motion prevailed.

FRIDAY, JANUARY 26th, 1872.

The House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Collis, of the House.

The Journal of yesterday was read and approved.

Mr. Robinson, presented a petition from citizens of the town of Franklin, concerning the sale of spirituous liquors. Read and referred.

Mr. Broadfoot, from the Committee on Corporations, reported on

H. B. 459, (S. B. 314,) to charter the Bank of Reidsville, and recommended its passage, with an amendment; also unfavorably on

H. B. 413, to revive the charter of the town of Leicester in the county of Buncombe;

H. B. 223, to incorporate the Western North Carolina Institute of Agriculture, Mining and Practical Arts and Sciences;

H. B. 357, to incorporate the town of Lockville, and on

H. B. 268, to appoint a Board of Trustees for Mt. Pleasant Academy in the county of Cherokee.

Mr. Johnston, of Buncombe, was reported absent on Committee duty.

Mr. Settle was reported absent on account of sickness.

Leave of absence was granted to Mr. Buxton for two days, and Mr. Newsome for one day, and to Mr. Morgan, of Wake, for one day.

BILLS.

By Mr. Wilcox: A bill to change the line between Horse Creek and Piney Creek Townships, in Ashe county. Referred to committee on counties and towns;

By Mr. Welch (by request): A bill to legalize sales of cer-

tain lands in the town of Asheville. Referred to the committee on the judiciary;

By Mr. Robinson: A bill to prevent the sale of spirituous liquors within two miles of the town of Franklin. Calendar;

By the same: A bill for the relief of Express Companies. Calendar;

By Mr. Waring: A bill to amend an act to incorporate the Trustees of the Presbyterian Church. Read and referred to the committee on corporations;

By Mr. Broadfoot: A bill in regard to municipal elections in the town of Carthage;

By Mr. Maxwell: A bill to authorize the Commissioners of Sampson county to levy a special tax. Referred to committee on finance;

By Mr. Martin: A bill concerning the office of Associate Superintendent of Public Instruction. Referred to committee on education;

By Mr. Gregory: A bill to declare the law of evidence in certain cases. Calendar;

By Mr. Johnston, of Buncombe: A bill to legalize the sales of certain land in the town of Asheville;

By Mr. Fletcher: A bill for the relief of the counties of the State, &c. Finance.

CALENDAR.

Senate amendments to House bill No. 1 to amend the Code of Civil Procedure in relation to executions and other process, were taken up and concurred in.

H. B. to authorize the commissioners of Anson to levy a special tax, on third reading, was taken up and passed. Ayes 71; Noes 7.

AYES.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Buxton, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Darden, Dickey, Duckworth, Dunham, Ellison, Faulkner, Fletcher, Gambrel, Garrison, Gatling,

Goodwin, Gore, Grayson, Gregory, Guyther, Hampton, Hargrove, Henderson, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Mabson, Maxwell, McAfee, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nisson, Paylor, Rankin, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Willis, Womack, Woodhousea nd York—71.

Noes.—Messrs. Brown, Bunn, Dudley, Martin, Marler, Smith of Halifax and Tucker of Craven—7.

H. B. to incorporate the town of Lillington, in Harnett county, was taken up on third reading and passed. Ayes 67; Noes 5.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Buxton, Cawthorn, Carson, Chamberlain, Collis, Crawford, Darden, Dickey, Drake, Dudley, Dunham, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Hampton, Harris of Guilford, Houston, Hinnant, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelsey, Lassiter, Lucas, Luckey, Lyon, Marler, Maxwell, McAfee, Morgan of Montgomery, Mills, Newsome, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Willis, Wilcox, Womack, Woodhouse and York—67.

Noes.—Messrs. Hargrove, Johnson of Edgecombe, Page, Robbins and Sykes—5.

Mr. Stanford moved to reconsider the vote by which the bill to prohibit the sale of spirituous liquors in the town of Pittsboro' passed third reading, and the motion prevailed; and on motion of the same the bill was laid on the table.

A bill to lay off and establish a new county by the name of Pamlico, was taken up and passed second reading; the rules were suspended, and the bill put on its third reading.

Mr. Johnson, of Edgecombe, moved to lay the bill on the table; which did not prevail.

Mr. Dudley moved a proviso submitting the question to the qualified voters of Beaufort and Craven counties.

Mr. Tucker, of Craven, offered an amendment that this act shall not go into effect until July, 1872.

Mr. Sparrow called the previous question, on which Mr. Dudley called the ayes and noes.

The call was sustained and the previous question was ordered. Ayes 63; Noes 25.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Carson, Chamberlain, Clinard, Collis, Crawford, Darden, Dickey, Drake, Dunham, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Hardy, Henderson, Houston, Hinnant, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Mills, Mitchell, Nicholson, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Woodhouse, Young of Wake and York—65.

Noes—Messrs. Buxton, Cawthorn, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hampton, Hargrove, Heaton, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Nisson, Page, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis and and Wilcox—25.

The ayes and noes were then called on Mr. Dudley's amendment, and it did not prevail. Ayes 28; Noes 55.

Ayes—Messrs. Bean, Brown, Buxton, Cawthorn, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Gatling, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Lyon, Morgan of Montgomery, Nisson, Page, Robbins, Smith of Halifax, Sykes, Tucker of Craven, Willis, Young of Wake--28.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, At-

kinson, Brooks, Broadfoot, Carson, Chamberlain, Clinard, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Hampton, Houston, Hinnant, Johns, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Wilcox, Woodhouse and York—55.

Mr. Tucker's amendment was not adopted.

The ayes and noes were called on the third reading, and the bill passed. Ayes 67; Noes 22.

Ayes.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Cawthorn, Carson, Chamberlain, Clinard, Collis, Crawford, Darden, Dickey, Drake, Duckworth, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Gwyther, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse, Young of Wake and York—67.

Noes.—Messrs. Bean, Brown, Buxton, Dudley, Ellison, Faulkner, Goodwin, Hargrove, Heaton, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Smith of Halifax, Sykes, Tucker of Craven and Willis—22.

The vote was reconsidered, and the motion to reconsider laid on the table.

S. B. in relation to certain vacant lands, was taken up, the substitute reported by the judiciary committee was adopted, and passed second and third readings and ordered engrossed.

A message was received from the Senate announcing that the Senate had refused to accept House amendments to the

bill to change Sampson county from the 4th to the 5th judicial district, and asking a committee of conference.

The request of the Senate was concurred in, and the following committee of conference was announced, viz: Messrs. Broadfoot, McNeill, Fletcher, Maxwell and Stewart.

The bill to prevent the sale of spirituous liquors within three miles of the town of Lenoir, was taken up, amended, on motion of Mr. Jones, and passed second and third readings. Ordered to be engrossed.

H. B. to authorize the commissioners of Montgomery county to issue bonds and for other purposes, was taken up on third reading and passed. Ayes 63; Noes 9.

AYES—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Buxton, Carson, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Ellison, Furr, Gambrel, Garrison, Gatling, Grayson, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Hinnant, Johns, Jones of Caldwell, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Lyon, Maxwell, McAfee, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Nisson, Page, Phillips, Powell, Reid, Regan, Robinson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Withers, Wilcox, Womack, Woodhouse, Young of Wake and York—63.

NOES—Messrs. Brown, Bunn, Dudley, Faulkner, Hampton, Johnson of Edgecombe, Marler, Nicholson and Tucker of Craven—9.

Ordered to be engrossed.

H. B. in relation to the sale of intoxicating liquors in townships, was taken up.

Mr. Jordan offered amendments, which were adopted.

Mr. Lucas moved to lay the bill on the table, and the motion prevailed.

S. B. to incorporate the Yadkin and Dan River Railroad Company was taken up and passed second and third readings and ordered enrolled.

H. B. to incorporate the Halifax and Scotland Neck Rail-

road was taken up and passed second and third readings. Ordered to be engrossed.

H. B. to prohibit the sale of intoxicating liquors within two miles of Ock Nock Furnace and Buck Horn Iron Mills, was taken up and passed second and third readings. Ordered to be engrosssed.

On motion of Mr. Willis, the use of the Hall was granted Mrs. Frances E. M. Harper for a lecture, on Monday evening next.

H. B. to incorporate Oak Grove Camp Ground, in Transylvania, was taken up, amended on motion of Mr. Duckworth, and passed second and third readings. Ordered to be engrossed.

Mr. Ashe moved to reconsider the vote granting the use of the Hall to Mrs. Frances E. M. Harper for Monday evening next.

The motion prevailed and the question recurring on the motion to allow the use of the Hall, Mr. Ashe moved to substitute Wednesday night for Monday night, and the motion prevailed.

SPECIAL ORDER.

A bill to amend an act concerning the city of Wilmington, was taken up.

Mr. Tucker, of Craven, moved to lay the bill on the table, and called the ayes and noes. The call was sustained and the motion did not prevail. Ayes 34; Noes 57.

AYES.—Messrs. Bean, Brooks, Brown, Bryan of Jones, Bunn, Buxton, Carson, Copeland, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Harris of Franklin, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven, Willis, Williamson, Young of Wake and York—34.

NOES.—Messrs. Anderson, Armstrong, Ashe, Atwater, At-

kinson, Broadfoot, Cawthorn, Chamberlain, Crawford, Currie, Drake, Duckworth, Furr, Gore, Gullick, Grayson, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Mills, Mitchell, Phillips, Powell, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack and Woodhouse—57.

And the bill passed second reading.

Mr. Ashe called the previous question; the call was sustained, and under a call for the ayes and noes, the bill passed third reading. Ayes 59; Noes 32.

AYES.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Carson, Crawford, Currie, Dickey, Drake, Dunham, Fletcher, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Guyther, Hardy, Henderson, Johns, Jones of Caldwell, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAfee, McAllister, McCauley, Mills, Mitchell, Nicholson, Phillips, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Wilcox, Womack and Williamson—59.

NOES.—Messrs. Bean, Brown, Bryan of Jones, Bunn, Buxton, Collis, Copeland, Darden, Dudley, Ellison, Faulkner, Garrison, Gatling, Goodwin, Harris of Guilford, Hargrove, Heaton, Hinnant, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Montgomery, Nisson, Page, Reavis, Robbins, Smith of Halifax, Tucker of Craven, Willis, Young of Wake and York—32.

H. B. to amend the charter of the Tuckasegee and Nantahala Turnpike Company, to revive an act, chapter 278, laws of 1868–'69, was taken up and passed second and third readings and ordered to be engrossed.

A message was announced from the Senate transmitting for concurrence the following bills and amendments:

H. B. 328, a bill authorizing the return of money improperly collected as taxes;

H. B. 399, a bill in favor of Sarah Williams, and

H. B. 352, S. B. 343, a bill to aid in the completion of the Western North Carolina Railroad.

The amendments to Senate bill 343 were concurred in.

Mr. Phillips, by consent, introduced a resolution to fix some other method for heating the capitol, which was read and placed on the calendar.

Mr. Goodwin moved to reconsider the vote by which the bill to incorporate the Halifax and Scotland Neck Railroad Company passed third reading, and to lay the motion on the table; and the motion to table prevailed.

Mr. Crawford, from the Committee on Engrossed Bills, reported the following as correctly engrossed:

H. B. 429, to prevent the sale of intoxicating liquors in the town of Swansboro', and within six miles thereof, in Onslow county;

H. B. 351, to incorporate Hornet Fire Company, No. 1, of the city of Charlotte;

H. B. 461, to legalize the acts of George D. Reynolds, entry-taker for claims of land in Alleghany county;

H. B. 293, to incorporate Stonewall Lodge, No. 1, Knights of Pythias of North Carolina.

H. B. 243, to legalize the acts of certain county officers, in Macon and Jackson counties, pending the organization of Swain county;

H. R. 102, Resolution in favor of T. S. Siler and J. M. Lyle, executors of Jacob Siler;

H. B. 396, to incorporate the Clarendon Military Academy, in the county of Cumberland;

H. B. 267, to charter the Carolina Narrow Guage Railroad Company.

Mr. Hardy, from the same committee, reported as correctly engrossed :

H. B. 311, to authorize the Commissioners of the county of Franklin to convey to the trustees of Trinity Church certain land ;

H. B. 375, to define and punish embezzlement;

H. B. 350, to lay out and construct a road from Jefferson to the mouth of Phœnix creek, in Ashe county ;

H. B. 326, to incorporate the Land and Lumber Company of North Carolina;

H. B. to prevent the sale of intoxicating liquors within one mile of Island Creek Academy, Duplin county ;

H. B. 422, to re-enact and continue in force an act to empower the Commissioners of Cumberland county to levy a special tax.

Mr. Clinard, from the same committee reported as correctly engrossed:

H. B. 412, to incorporate the Little Coharie Draining Company ;

H. B. 395, to incorporate the Cumberland County Agricultural Society ;

H. B. 439, for the relief of Bryan Kellum ;

H. B. 109, to amend an act for the protection of merchants' and other laborers' materials, &c. ;

H. B. 277, to change the county line between Cherokee and Swain, near the residence of Jefferson George ;

H. B. 225, to amend the charter of the town of Hickory Tavern ;

H. B. 325, concerning the poorhouse of Surry county.

Mr. McAllister, from the same committee, reported as correctly engrossed :

H. B. 394, to amend and extend the charter of Cape Fear Lodge, No. 2, of the Independent Order of Odd Fellows, of Wilmington ;

H. B. 421, to authorize the Commissioners of Onslow county to levy a special tax ;

H. B. 282, to authorize the construction of a toll bridge across Cape Fear River, at Lillington, in Harnett county;

H. B. 291, to lay out and construct a public road from Phillips' Gap, in the Blue Ridge, to Hamilton's Mills, in Ashe county;

H. B. 441, amendatory of, and supplemental to, an act to incorporate the Bank of the State;

H. B. 465, concerning the Robeson county outlaws.

These bills and resolutions were transmitted by message to the Senate for concurrence.

Mr. Currie, from the Committee on Enrolled Bills, reported the following as correctly enrolled, and they were ratified, viz:

An act to incorporate, in the city of Wilmington, the Cape Fear Towing and Atlantic Coast Wrecking Company;

An act to create a Finance Committee in the several counties of the State;

An act to prevent the felling of trees in New River and Horse Creek, in Ashe county, and South Yadkin River, in Alexander county;

An act to amend an act to authorize the Commissioners of Bertie county to issue bonds, ratified 20th December, 1871;

An act to authorize the Secretary of State to issue a patent to Lunsford Cahoon, of Elizabeth City, N. C.;

An act to authorize the Commissioners of Stokes county to issue bonds;

An act to incorporate the Jamestown Copper Company;

An act to incorporate the Hollywood Cemetery;

An act to incorporate the Guilford County Co-operative Association;

An act to prevent the reckless destruction of deer.

On motion, the House adjourned.

SATURDAY, JANUARY 27TH, 1872.

The House met at 10 o'clock, A. M., Mr. Robinson in the Chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

Messrs. Johnston, of Buncombe, McAfee and Morris, were reported absent on special committee.

Mr. Settle was reported absent on account of sickness.

Leave of absence was granted Mr. Cawthorn for two days.

REPORTS OF COMMITTEES.

Mr. Ashe, from the Committee on Finance, reported unfavorably on

H. B. for the relief of counties of the State, and favorably on

S. B. to authorize the Commissioners of Pasquotank county to issue bonds, and for other purposes.

Mr. Stanford, from the same committe, reported favorably on

H. B. to authorize the Commissioners of Sampson county to levy a special tax.

CALENDAR.

The unfinished business was resumed.

Mr. Johnston, of Buncombe, moved to reconsider the vote by which the House concurred in Senate amendments to House bill to aid in the completion of the Western Division of the Western North Carolina Railroad.

Mr. Welch moved to lay the motion on the table. The motion to table did not prevail, and the motion to reconsider did prevail.

Mr. Johnston moved that the House do not concur, and to ask for a committee of conference, and the motion was adopted.

Mr. Morris introduced a bill to lay off a new county, to be named "Badger," which was read and referred to committee on counties, towns, &c.

Mr. Harris, of Guilford: A bill in relation to the salary of the Governor, which was read and placed on the calendar.

Mr. Kelsey, from the Committee on Counties, Towns, &c., reported favorably on

H. B. to incorporate the town of Faison, Duplin county, and on

H. B. to amend the charter of the city of Raleigh.

Messrs. Mills, Welch, Wilcox, Dickey and Hargrove were appointed House branch of committee of conference on House bill to aid in the completion of Western Division of Western North Carolina Railroad.

The unfinished business, being House bill concerning the debt of the State, was taken up.

Mr. Welch moved to lay the bill on the table, and called the ayes and noes. The call was sustained and the motion did not prevail. Ayes 34; Noes 57.

Ayes.—Messrs. Anderson, Bean, Brooks, Brown, Carson, Chamberlain, Collis, Duckworth, Ellison, Garrison, Gatling, Gullick, Harris of Guilford, Hargrove, Hardy, Heaton, Hinnant, Johnson of Edgecombe, Jones of Northampton, Lucas, Lyon, Martin, Mabson, Marler, Morgan of Montgomery, Mitchell, Nisson, Powell, Reavis, Robbins, Smith of Halifax, Tucker of Craven, Welch and York—34.

Noes.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryant of Halifax, Clinard, Crawford, Currie, Darden, Drake, Dudley, Dunham, Fletcher, Furr, Goodwin, Gore, Grayson, Guyther, Hampton, Henderson, Houston, Johnston of Buncombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Luckey, Maxwell, McAllister, McNeill, Mills, Nicholson, Page, Phillips, Paylor, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow,

Stanford, Sykes, Tucker of Iredell, Waring, Withers, Willis and Womack—57.

And the bill passed third reading.

A motion was made to reconsider the vote and to lay the motion on the table, and the motion to table prevailed, and the bill was ordered engrossed.

H. B. to authorize the Commissioners of Greene county to levy a special tax was taken up on third reading and passed. Ayes 66; Noes 7.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Carson, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dunham, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Houston, Hinnant, Johnson of Edgecombe, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lyon, Mabson, McAfee, McAllister, Morgan of Montgomery, Mills, Mitchell, Page, Phillips, Paylor, Powell, Rankin, Reavis, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Tucker of Craven, Withers, Willis, Wilcox, Womack and Woodhouse—66.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Duckworth, Marler and York—7.

H. B. to incorporate the town of ——— was taken up, passed second and third readings and ordered engrossed.

S. B. to incorporate the People's Building and Loan Association of Oxford, was taken up passed second and third readings and ordered enrolled.

The special order, (being House bill to secure "*bona fide*" purchasers of real estate,) was taken up, the substitute to which had been adopted; it passed second and third readings and was ordered engrossed, to day.

Second special order, (being House bill to change the time for holding the courts in the 10th and 11th Judicial Districts,) was taken up.

Mr. Wilcox offered a substitute which was adopted and passed second and third readings and was ordered engrossed.

Bill to authorize the Commissioners of Sampson county to levy a special tax, was taken up and passed second reading. Ayes 63; Noes 8.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Bunn, Carson, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Drake, Duckworth, Dunham, Gambrel, Garrison, Gatling, Grayson, Gregory, Guyther, Hargrove, Hardy, Heaton, Henderson, Houston, Johns, Jones of Caldwell, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Lyon, Maxwell, McNeill, Mills, Mitchell, Nisson, Phillips, Paylor, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stewart, Sykes, Tucker of Iredell, Withers, Womack and Woodhouse—63.

NOES—Messrs. Brown, Bryant of Halifax, Dudley, Johnson of Edgecombe, Marler, Reavis, Smith of Halifax and York—8.

H. B. concerning the laws of evidence was, on motion of Mr. Gregory, made special order for Monday next, at 12 o'clock, M.

H. B. to prevent the sale of spirituous liquors within two miles of the town of Franklin, was taken up and passed second and third readings and ordered engrossed.

H. B. supplemental to an act to raise revenue, was taken up.

Mr. Ashe offered a substitute, which was adopted, and passed second and third readings and ordered engrossed.

S. B. to authorize the Commissioners of Brunswick county to issue bonds, &c., was taken up, amended on motion of Mr. Brooks, and passed second reading. Ayes 60; Noes 9.

AYES—Messrs. Armstrong, Atwater, Atkinson, Brooks, Cawthorn, Carson, Clinard, Crawford, Currie, Darden Drake, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Guyther, Harris of Guilford, Harris

of Franklin, Hargrove, Hardy, Heaton, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Lassiter, Luckey, Maxwell, McAllister, McCauley, McNeill, Morgan of Montgomery, Mills, Mitchell, Nisson, Phillips, Paylor, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Withers and Woodhouse—60.

NOES—Messrs. Brown, Bryant of Halifax, Bunn, Buxton, Hampton, Mabson, Marler, Smith of Halifax and York—9.

Mr. Jordan moved to take from the table House bill to prevent the sale of spirituous liquors in townships where the people so determine.

H. B. to provide for the purchase of a site for a national cemetery in Salisbury was, on motion of Mr. Gullick, taken up, passed second and third readings, and ordered engrossed.

By consent, Mr. Guyther introduced a bill to amend section 1, chapter 10, Revised Code, concerning auctions and auctioneers. Read and referred to the committee on finance.

H. B. to amend the charter of the city of Raleigh, was taken up.

Mr. Chamberlain moved to amend, submitting the acceptance of the amendment to the qualified voters of the ward affected by the charter.

The amendment was adopted and,

On motion of Mr. Page, the bill was laid on the table.

S. B. to regulate proceedings in *mandamus*, was taken up, passed second and third reading and ordered enrolled.

S. B. to provide for the formation of Railroad Companies, and to regulate the same, was taken up and, on motion, postponed to Monday next.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to allow the Commissioners of Anson county to levy a special tax;

An act to amend the Code of Civil Procedure; and

Resolution instructing committee to audit the State Printer's account.

And the same were ratified.

On motion, the House adjourned.

MONDAY, JANUARY 29th, 1872.

The House met at 11 A. M., Mr. Speaker Jarvis in the Chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of Saturday was read and approved.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Committee on Judiciary, reported unfavorably on

H. B. to prevent fraud in the sale of land grants;

H. B. concerning jurors;

H. B. requiring judges of probate to appoint a commissioner in townships to take privy examination of *femme coverts;*

H. B. to legalize sale of certain lands in the town of Asheville;

S. B. in favor of Sarah Williams, and on

S. B. to repeal chapter 44, private acts of extra sessions of 1861.

Mr. Stanford, from the Committee on Finance, reported favorably on

H. B. to amend chapter 10, section 1, Revised Code, entitled auction and auctioneers.

Mr. Broadfoot, from Committee on Corporations, reported favorably on

H. B. to amend an act to incorporate the trustees of the Presbyterian church.

Mr. Welch, from the Committee on Internal Improvements,

reported, asking discharge from consideration of House bill to repeal an act to amend the charter of the Atlantic, Tennessee and Ohio Railroad Company.

Messrs. Johnston, of Buncombe, McAfee and Morris, were reported absent on special committee.

BILLS INTRODUCED.

By Mr. Dickey: A bill supplemental to an act to establish the county of Graham. Read and referred to committee on counties, towns, &c.

By Mr. Gullick: A bill to incorporate the trustees of Pisgah Academy, in Gaston county. Read and placed on calendar.

By Mr. Sparrow: A bill to authorize the commissioners of the town of Washington to levy a special tax in certain cases. Read and placed on the calendar.

By Mr. ——, for Mr. Johnston, of Buncombe: A bill to regulate the time of holding Superior Courts in the 11th and and 12th judicial districts. Read and placed on the calendar.

By Mr. Tucker, of Iredell: A bill to amend the charter of the town of Statesville. Read and referred to committee on corporations.

Mr. Broadfoot, by consent, reported from the committee on corporations amendments to House bill to charter the Farmers' Savings Bank of Charlotte.

CALENDAR.

The unfinished business, being Senate bill to authorize the formation of railroad corporations and to regulate the same, was taken up.

By consent, the report of the committee recommending amendments, was changed to a recommending of the passage of the bill without amendments, and the bill passed second reading.

Mr. Houston offered an amendment which was not adopted.

Mr. Anderson moved a proviso "that the operations of the bill shall not extend to the counties west of Asheville, which was not adopted, and the bill passed third reading and was ordered enrolled.

By consent, Mr. Harris, of Guilford, introduced a bill with two petitions to prevent the sale of spirituous liquors in Friendship Township, Guildford county. Read and placed on the calendar.

H. B. concerning witness tickets, clerks and sheriffs fees in the hands of Superior Court Clerks, due persons in other counties, was taken up and, on motion of Mr. Marler, indefinitely postponed.

H. B. to allow any persons not less than three to become incorporated and to regulate such, and other corporations, was taken up. The amendments reported by the Judiciary Committee were adopted, and the bill passed second and third readings and was ordered engrossed.

H. B. to regulate the time for holding Superior Courts in 11th and 12th Judicial Districts, was taken up, on motion, passed second and third readings, and ordered engrossed to-day.

H. B. to amend an act to incorporated the trustees of the Presbyterian Church was taken up, passed second and third readings, and ordered engrossed.

H. B. to allow the Commissioners of Sampson county to levy a special tax was taken up and passed third reading and ordered engrossed. Ayes 66; Noes 6.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Bryan of Jones, Cawthorn, Carson, Clinard, Collis, Crawford, Currie, Darden, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Gregory, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Johnston of Buncombe, Johns, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Maxwell, Morgan of Montgomery,

Morgan of Wake, Mills, Nisson, Paylor, Rankin, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Waring, Wilcox, Womack and Woodhouse—66.

Noes—Messrs. Brown, Bunn, Johnson of Edgecombe, Page, Smith of Halifax and York—6.

H. B. to incorporate the Farmers' Savings Bank of Charlotte, was taken up. The amendments reported by the committee were adopted, and the bill passed second and third readings, and was ordered engrossed.

H. B. to compel Superior Court Clerks to reside at their county seats, was taken up, the substitute reported by the committee was adopted, and passed second and third readings and ordered engrossed.

S. B. to charter the Upper Division of the Yadkin River Railroad, was taken up, passed second and third readings, and ordered enrolled.

Mr. Dunham, by consent, introduced a bill to repeal parts of sections 56-'7-'8 and 62, chapter 270, laws of 1868-'69. Read and referred to committee on propositions and grievances.

S. B. to authorize the Commissioners of Brunswick to levy a special tax, was taken up on third reading and passed. Ayes 62; Noes 7.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Cawthorn, Carson, Clinard, Crawford, Currie, Darden, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Henderson, Houston, Johns, Jones of Northampton, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Maxwell, Morgan of Montgomery, Mills, Mitchell, Nicholson, Nisson, Paylor, Powell, Reid, Regan, Robbins, Settle, Shull, Smith of Anson, Smith of Wayne, Stanford, Sykes, Tucker of Iredell, Womack and Woodhouse—62.

Noes—Messrs. Brown, Bryant of Halifax, Johnson of Edge-

combe, Marler, Smith of Halifax, Tucker of Craven and York—7.

And ordered enrolled.

S. R. in relation to the Cape Fear harbor, was taken up, passed second and third readings, and ordered enrolled.

S. B. in relation to the Commissioners of Stokes and Rockingham counties, was taken up, amended on motion of Mr. Sykes, by adding "Chowan," and passed second and third readings and returned to the Senate for concurrence.

H. R. in relation to bonds of the State issued during the existence of the Confederate States for internal improvements, was taken up and made special order for Wednesday next, at 12 M.

H. R. for the appropriation of proceeds of public lands to educational purposes was taken up and adopted.

H. B. to abolish the office of Supreme Court Reporter and for other purposes, was taken up, passed third reading and ordered engrossed.

S. B. to amend the provisions of section 6, chapter 102, Revised Code, was taken up and failed to pass its third reading.

H. B. to amend chapter 12, section 1, Revised Code, entitled Bastard Children, was taken up, passed second and third readings and ordered engrossed.

A message was received from the Senate transmitting the report of the committee of conference on Senate bill to change Sampson county from the 4th to the 5th judicial district; which report the House concurred in.

Also, a message transmitting for concurrence of the House S. B. concerning representation in the Senate. Placed on the calendar;

. B. to amend the charter of the Fayetteville and Florence Railroad Company. Read and referred to committee on internal improvements;

S. R. in favor of Wm. M. Shipp, Attorney General. Read and placed on the calendar;

S. R. concerning adjournment. Read and placed on the calendar, and announcing that the Senate has agreed to the request to appoint a committee of conference on House bill to aid in the completion of Western Division of Western North Carolina Railroad, and that Messrs. Merrimon, Flemming and Gilmer are designated as Senate branch of the committee.

On motion, the Senate resolution concerning adjournment, was taken up and passed second and third readings and ordered enrolled.

H. B. to incorporate Hilton Camp Ground, in Ashe county, was taken up, passed second and third readings and ordered engrossed.

H. B. to incorporate the trustees of Pisgah Academy, in Gaston county, was taken up, passed second and third readings and ordered engrossed.

Mr. Currie in the chair.

The special order, (being House bill to declare the law of evidence in certain cases,) was taken up, and, on motion of Mr. McNeill, referred to judiciary committee.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to incorporate the Yadkin and Dan River Railroad Company;

An act to incorporate the Peoples' Building and Loan Association of Oxford;

An act to incorporate the Old Fort and Toe River Turnpike Company; and

An act to regulate proceedings in *mandamus*.

And they were ratified.

Messrs. Clinard, Hardy, Lyon and Powell, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. to prohibit the sale of spirituous liquors within the town of Smithville, Brunswick county;

H. B. to revise and amend the charter of the Tuckasegee and Nantahala Turnpike Company;

H. B. to authorize the Commissioners of Greene county to levy a special tax;

H. B. to incorporate the town of Franklin;

H. B. to prevent the sale of intoxicating liquors within one and a half miles of St. Paul's Church, in Robeson county;

H. B. to authorize the purchase of a site for a national cemetery by the United States;

H. B. to prevent the sale of spirituous liquors within two miles of the town of Franklin;

H. B. concerning the debt of the State;

House amendments to Senate bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road and to finish the same to the Tennessee line;

House amendments to Senate bill to incorporate the Brevard and Waynesville Turnpike Company;

House amendments to Senate bill to incorporate the town of Battleboro', and

House amendments to Senate bill "to be entitled an act for exchanging stocks of the State for bonds with which such stocks were obtained, and for other purposes."

H. B. to amend an act entitled an act concerning the city of Wilmington, ratified December 20th, A. D. 1870;

H. B. to prohibit the sale of spirituous liquors within two miles of Oek Nock Furnace or Buck Horne Iron Mines;

H. B. to lay off and establish a new county to be named Pamlico;

H. B. to create a board of commissioners for the port of Ocracoke and Hatteras Inlets;

H. R. in favor of John H. Hill;

H. B. to incorporate the town of Catawba, in Catawba county;

H. B. to incorporate the Neptune Fire Company, in the town of Washington;

H. R. in favor of J. W. Cooper;

H. B. to incorporate the Charlotte Hotel Company;

H. R. in favor of Albert Williams and Robert Henly;

H. B. to incorporate the Cape Fear Club;

H. B. to incorporate the Catawba Valley Academy, in Catawba county;

H. B. to amend an act for the protection of mechanics and other laborers, materials, &c.;

H. B. in relation to insurance companies not incorporated in the State, (being substitute to bill to protect the interest of policy holders, &c.,)

And messages were sent transmitting them to the Senate for concurrence.

S. B. to incorporate the Wilmington and Charlotte Railway Building Company, passed second and third readings, and was ordered enrolled.

H. B. for the relief of Counties in this State, was taken up.

Mr. Shull moved to lay it on the table.

Mr. Fletcher called the ayes and noes, and the motion prevailed. Ayes 62; Noes 11.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Carson, Clinard, Collis, Crawford, Currie, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Grayson, Gregory, Guyther, Hampton, Hardy, Henderson, Houston, Johnson of Edgecombe, Johns, Jones of Northampton, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, Morgan of Montgomery, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Settle, Shull, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Withers, Womack and York—62.

NOES—Messrs. Dudley, Fletcher, Hargrove, McCauley, McNeill, Morgan of Wake, Page, Phillips, Robbins, Sykes and Willis—11.

H. B. to repeal an act to amend the charter of the Atlantic, Tennessee and Ohio Railroad, was taken up, passed second and third readings, and was ordered engrossed.

On motion, the House adjourned.

TUESDAY, JANUARY 30th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Mangum, of the city.

The Journal of yesterday was read and approved.

RECEPTION OF REPORTS.

Mr. Stanford, from the Judiciary Committee, reported favorably on

H. B. to delare the law of evidence in certain cases.

INTRODUCTION OF BILLS.

By Mr. Lassiter: A bill to prevent the felling of trees in Uwharrie river, in Randolph county. Placed on the calendar.

Messrs. Johnston, of Buncombe, McAfee and Morris were reported absent on committee duty.

Leave of absence was granted to Mr. Collis indefinitely.

CALENDAR.

H. B. to amend an act in relation to fees, &c., was taken up, it being on third reading. The substitute reported by the committee was adopted and passed third reading and ordered engrossed.

Mr. Anderson, by consent, reported from the Committee on Counties, Towns, &c., favorably on

H. B. supplementary to an act to lay off and establish the county of Graham.

H. B. to prevent fraud in the sale of commercial fertilizers was taken up and passed second reading.

The rules were suspended and the bill made the special

order for to-morrow at 11:30 A. M., and ordered to be printed.

H. B. to repeal chapter 227, laws of 1869-'70, was taken up and passed second reading.

S. B. to punish the obtaining of goods under false pretences was taken up and passed second reading.

S. B. to promote immigration and the settlement of the public lands was taken up.

Mr. Sparrow moved to recommit to Select Committee on Immigration.

Mr. Martin moved to lay the bill on the table.

Mr. Brown called for the ayes and noes.

The call was sustained and the motion to table prevailed. Ayes 66; Noes 28.

AYES—Messrs. Anderson, Ashe, Atwater, Atkinson, Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Carson, Clinard, Collis, Copeland, Darden, Drake, Dudley, Ellison, Faulkner, Fletcher, Furr, Gambrel, Garrison, Gatling, Goodwin, Gullick, Grayson, Harris of Guilford, Hargrove, Heaton, Henderson, Houston, Johnson of Edgecombe, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Kelly of Davie, Kincaid, Lassiter, Lyon, Martin, Marler, Maxwell, McCauley, Morgan of Montgomery, Mitchell, Newsome, Nisson, Page, Reavis, Reid, Robbins, Settle, Shull, Smith of Halifax, Sparrow, Stewart, Tucker of Iredell, Tucker of Craven, Withers, Wilcox, Woodhouse, Williamson and York—66.

NOES—Messrs. Armstrong, Broadfoot, Chamberlain, Crawford, Currie, Dunham, Hampton, Harris of Franklin, Johns, Jordan, Kelsey, Lucas, Luckey, McAllister, McNeill, Morgan of Wake, Mills, Paylor, Powell, Rankin, Regan, Robinson, Scott, Smith of Anson, Stanford, Welch, Willis and Womack—28.

Mr. Sparrow moved to reconsider the vote just taken.

Mr. Wilcox moved to lay that motion on the table, which motion prevailed.

Mr. McNeill, by consent, introduced a petition against the sale of spirituous liquors near Buck Swamp Baptist Church, in Robeson County.

A message was received from the Senate, announcing that at 12 o'clock M., the senate would go into and election for a Senator, to represent the State of North Carolina in the Congress of the United States; also,

A communication, by order, from the Supreme Court Clerk, concerning decision of the Supreme Court in case of George N. Lewis vs. the State.

Mr. Loftin moved to transmit the communication to the Senate, which prevailed.

Mr. Jordan moved to take from the table House Bill concerning the sale of spirituous liquors in Townships, &c., which motion prevailed.

H. B. to provide for the economical completion of the Penitentiary was taken up and, on motion, made special order for Thursday next, at 11 A. M.

H. B. in favor of Express Companies was taken up, and failed to pass for want of a quorum.

Mr. Powell renewed the motion and called the ayes and noes, and the bill passed. Ayes 75; Noes 11.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Bean, Brooks, Brown, Brayant of Halifax, Buxton, Carson, Chamberlain, Clinard, Collis, Copeland, Crawford, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Ellison, Faulkner, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Hardy, Heaton, Henderson, Houston, Johnston of Edgecome, Jones of Craven, Jones of Northampton, Joyner of Johnston, Jordan, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Morgan of Montgomery, Nicholson, Page, Paylor, Powell, Reid, Regan, Robbins, Robinson, Scott, Settle, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Wilcox, Womack, Woodhouse, Williamson, Young of Wake and York.—75.

Noes—Messrs. Bunn, Hargrove, Hinnant, Joyner of Pitt, Mills, Mitchell, Newsome, Nisson, Reavis, Smith of Halifax and Willis—11.

And the bill was put on third reading and passed.

Mr. McNeill, by consent, introduced a bill to prevent the sale of spirituous liquors near Buck Swamp Baptist Church, in Robeson County. Read and referred to the committee on propositions and grievances.

A message was received from the Senate announcing the concurrence in House amendments to Senate bill to incorporate the Brevard and Waynesville Turnpike Company; also in House amendments to Senate bill in relation to certain vacant lands, and refusing to concur in

Amendments of the House to Senate bill to incorporate the town of Battleboro', and asking a committee of conference thereon;

Also, that the Senate has refused to concur in substitute of the House to section 5 of Senate bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road and extend the same to the Tennessee line, and asking a committee of conference thereon, and that Messrs. McClammy, Jones and Whiteside were appointed Senate branch of said committee, and that the Senate had concurred in the other amendments of the House to said bill.

The House acceded to the above proposition to raise a committee of conference, and Messrs. McNeill, Reid, Heaton and Smith, of Anson, were appointed House branch of said committee.

On motion of Mr. Broadfoot, a message was sent to the Senate announcing that the House of Representatives had agreed to the proposition to go into an election of United States Senator to represent this State in the Congress of the United States, at 12 o'clock M., this day.

Mr. Withers introduced a bill to be entitled an act to make Country Line creek a lawful fence in certain places. Read and placed on the calendar.

By Mr. Houston: A resolution instructing the Superintendent of Public Works. Read and placed on the calendar.

S. B. to annex a part of New Hanover county was taken up.

Mr. Maxwell offered an amendment, which was adopted, and the bill passed second and third readings and ordered engrossed.

The hour for the election of a Senator to represent the State of North Carolina in the Congress of the United States, to fill the vacancy caused by the resignation of the Hon. Z. B. Vance, having arrived,

Mr. Johns placed in nomination General Matt. W. Ransom.

Messrs. Withers and Loftin were appointed to superintend the election, which being held, they reported as follows:

General M. W. Ransom received 69 votes.
A. S. Merrimon received 2.
R. P. Dick received 1.
R. W. King received 1.
F. A. Dean received 1.
G. P. Willis received 1.
E. R. Dudley received 1.
J. W. Holden received 1.
G. L. Mabson received 1.
—— Fields received 1.
R. C. Badger received 1.
Y. S. Tillens received 1.
A. Dockery received 1.
T. L. Hargrove received 1.
S. F. Phillips received 1.
A. M. Craige received 1.
John Norfleet received 1.
John Reid received 1.
Whole number of votes 87.

The following is the vote in detail:

For Mr. Ransom.—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Cawthorn, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel,

Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Franklin, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack and Woodhouse—69.

For Mr. Merrimon.—Messrs. Duckworth and York—2.

For Mr. Dick.—Mr. Brown—1.

For Mr. Fields.—Mr. Bryant of Halifax—1.

For Mr. Norfleet.—Mr. Bunn—1.

For Mr. Deans.—Mr. Copeland—1.

For Mr. Willis.—Mr. Dudley—1.

For Mr. Badger.—Mr. Ellison—1.

For Mr. Dockery.—Mr. Fisher—1.

For Mr. Reid.—Mr. Faulkner—1.

For Mr. Phillips.—Mr. Garrison—1.

For Mr. Tillery.— Mr. Goodwin—1.

For Mr. Mabson.—Mr. Heaton—1.

For Mr. Hargrove.—Mr. Morgan of Montgomery—1.

For Mr. King.—Mr. Loftin—1.

For Mr. Holden.—Mr. Morgan of Wake—1.

For Mr. Craige.—Mr. Robbins—1.

For Mr. Dudley.—Mr. Willis—1.

S. B. to ratify sales of real estate for partition which have been irregularly made, was then taken up and failed to pass second reading.

A message was received from the Senate transmitting for concurrence :

S. B. to repeal chapter 267, public laws of 1868-'69. Read and referred to the judiciary committee;

S. B. to facilitate the capture of the Robeson county out-

laws. Read and referred to committee on propositions and grievances ;

S. B. to incorporate Rountree Lodge, F. and A. M., at Bethel Church, Lenoir county, [No. 243.] Read and referred to committee on corporations ;

S. B. to amend an act entitled an act to pay expenses of idiots and lunatics incurred by counties. Read and referred to committee on counties, towns, &c. ;

S. B. to promote the mining interests of the State. Read and referred to committee on agriculture, &c, ;

S. B. relating to fees of Superior Court Clerks. Read and referred to committee on salaries and fees ;

S. B. declaring the Yadkin river a lawful fence. Read and placed on the calendar by request ;

S. B. to authorize the Commissioners of Watauga county to levy a special tax. Read and referred to committee on counties, towns, &c. ;

S. B. to consolidate the school laws and to provide a system of public instruction. Placed on the calendar ; and

S. B. to re-enact and amend an act to incorporate the National Loan and Trust Company. Read and placed on the colendar.

H. B. to amend chapter 85, Revised Code, entitled Pilots, was taken up, passed second and third readings and engrossed.

H. B. to prevent illicit or unlawful trading was taken up passed second and third readings and ordered enrolled.

Mr. Settle, by consent, introduced a bill to amend the charter of the city of Raleigh. Read and placed on the calendar.

H. B. to amend chapter 24, public laws of 1854–'55, was, on motion, made special order for to-morrow at 1:30 P. M.

S. B. to legalize acts of justices of the peace of Rowan and other counties, was taken up and passed second reading.

S. B. to prevent deputy or assistant clerks from practising as attorneys-at-law in the counties in which they act as deputy or assistant clerks, was taken up, amendment offered by the

committee was adopted and the bill passed second and third readings.

H. B. to amend an act ratified April 12th, A. D. 1868, chapter 178, entitled, Of Proceedings in Criminal Cases, was taken, amended on motion of Mr. Houston, and on motion of Mr. Withers, referred io the judiciary committee.

S. B. to re-enact and amend an act to incorporate the National Loan and Trust Company was taken up, passed second and third readings and ordered enrolled.

S. B. declaring the Yadkin river a lawful fence was taken up, passed second and third readings and ordered enrolled.

Mr. Ashe introduced a bill to construe section 12, chapter 55, Revised Code. Read and referred to the judiciary committee.

S. B. to amend sections 2 and 3, chapter 233, laws of 1870–'71, was taken up and passed third reading.

S. B. to amend section 8, chapter 44, Revised Code, entitled Evidence, was taken up and passed second reading.

S. B. to be entitled an act to revise jury lists, was taken up and, on motion, laid on the table.

H. R. in favor of Henry M. Miller, was taken up, passed second and third readings and engrossed.

S. B. to amend an act to amend chapter 237, laws 1868–'69, passed second reading.

H. B. to amend section 1, chapter 10, Revised Code, entitled Auction and Auctioneers, passed second and third readings and ordered engrossed.

H. R. of instruction to the Superintendent of Public Works was adopted.

S. B. in relation to County Officers, was indefinitely postponed.

S. B. to incorporate the Thompson Institute, passed second reading.

S. B. to authorize the Commissioners of Pasquotank to issue bonds, was laid on the table.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled :

An act to establish a new county by the name of Graham ;

An act to charter the upper division of the Yadkin River Railroad Company ;

An act to incorporate the Wilmington and Charlotte Railway Building Company ;

An act to change Sampson county from the 4th to the 5th Judicial District ;

An act to authorize the trustees of Mt. Gilead meeting and schoolhouse, of Haywood county, to sell their property ;

Resolution in relation to the Cape Fear Harbor, and

Resolution in relation to adjournment ;

And they were ratified.

Messrs. Lyon and McAllister, from the Committee on Engrossed Bills, reported numerous bills, amendments and resolutions as correctly engrossed ; and they were transmitted to the Senate with messages asking concurrence.

On motion, the House adjourned.

EVENING SESSION.

The House met at pursuant to adjournment, Mr. Speaker Jarvis in the chair.

S. B. to incorporate Atlantic Lodge, No. 294, passed second and third readings and enrolled.

Messrs. McAfee, Morris and Johnston, of Buncombe, were reported absent on committee.

S. B. in favor of delinquent sheriffs and tax collectors, and to legalize acts of the Public Treasurer, passed second and third readings and enrolled.

S. B. relating to the custody of weights and measures was laid on the table.

S. B. to charter the Bank of Reidsville was amended, on report of committee, and passed second and third readings.

H. B. to prevent the sale of spirituous liquors within two miles of Pleasant Hill Church, passed second and third readings and engrossed.

S. B. to repeal chapter 44, private acts of 1861, was laid on the table.

H. B. supplimentary to an act to establish the county of Graham, passed second and third readings and engrossed.

S. B. to incorporate the Hook and Ladder Company, No. 1, of Raleigh, amended on report of committee, and passed second and third readings.

H. B. to amend the charter of the City of Raleigh, was taken up and referred to judiciary committee.

Leave of absence, for two days, was granted Mr. Copeland.

S. B. supplemental to an act to raise revenue, passed second and third readings and enrolled.

S. B. in favor of Sarah Williams, was re-referred.

S. B. concerning representation in the Senate, was made special order for Thursday at 11 A. M.

S. R. in regard to Lovejoy Academy, passed second and third readings and enrolled.

S. R. in regard to tax on raw cotton by the United States, failed to passed second reading.

S. R. in favor of Wm. H. Hamilton was takenup.

The name of Jos. A. Miller was added, and passed second and third readings.

S. R. to allow Engrossing Clerk of the Senate to employ assistance, passed second and third readings and enrolled.

S. B. to prevent deputy or assistant clerks from practicing as attorneys, &c., passed third reading.

S. B. to amend chapter 233, laws of 1870–'71, passed third reading and enrolled.

H. B. to amend section 8, chapter 44, Revised Code, passed third reading and enrolled.

S. B. to incorporate Thompson Institute, passed third reading and enrolled.

S. B. to amend section 9, chapter 237, laws of 1868–'69, passed third reading and enrolled.

By Mr. Bean: A bill in relation to fees of Justices of the Peace. Referred to committee on salaries and fees.

S. B. to legalize a number of Justices of the Peace of Rowan and other counties, passed third reading and enrolled.

S. B. to repeal chapter 227, laws of 1869–'70, failedto pass third reading.

S. B. to punish obtaining of goods by false pretences, passed third reading and enrolled.

H. B. to prevent the extermination of partridges, amended on motion of Mr. Guyther.

Mr. Sparrow moved to amend by inserting "unless by invitation or consent of the owner." Pending further action,

On motion, the House adjourned.

WEDNESDAY, JANUARY 31st, 1872.

House met at 10, A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson.

Journal of yesterday was approved.

Mr. Johnston, of Buncombe, was allowed to record his vote in favor of General M. W. Ransom for United States Senator.

Messrs. Lottin, Guyther, Hinnant and Waring were allowed to record their votes in the affirmative on the motion to table Senate bill to promote immigration, &c.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on

S. B. to incorporate Rountree Lodge, Free and Accepted Masons, &c., and on

H. B. to amend the charter of the town of Statesville.

Mr. Welch, from the Committee on Internal Improvements,

reported amendments to Senate bill to amend the charter of the Florence and Fayetteville Railroad Company.

INTRODUCTION OF RESOLUTIONS.

By Mr. Loftin: A resolution instructing the Public Treasurer to pay John C. Gorman, D. C. Dudley and James C. Marcom $60 each. On the calendar.

By Mr. Mitchell: A resolution regarding Internal Revenue on Tobacco and Liquors. Placed on the calendar.

By Mr. Robinson: A resolution of instruction to Joint Committee on Printing. Placed on calendar.

BILLS.

By Mr. Dickey: A Bill to authorize C. C. Vest, former sheriff of Cherokee, to collect arrears of taxes. Referred to finance committee.

By Mr. Dunham: A bill to provide for Registration and Election in A. D. 1872. Ordered printed and made special order for Friday, 10:30 A. .

Messrs. Johnston of Buncombe, McAfee and Morris, reported absent on duty.

CALENDAR.

The unfinished business, being amendment of Mr. Sparrow to bill to prevent the extermination of partridges, was taken up and prevailed.

Mr. Robinson moved to exempt all counties west of the Blue Ridge.

Mr. Jones of Caldwell called the previous question, and the bill passed second reading.

S. B. to incorporate Rountree Lodge, F. and A. M., at Bethel Church, Lenoir county, passed second and third readings and enrolled.

Resolution of instruction to Joint Committee on Printing passed second and third readings and engrossed immediately.

S. B. to amend the charter of the Fayetteville & Florence Railroad Company was amended as reported by the committee, passed second reading and made special order for Thursday night next.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on several bills.

Mr. McCauley, from Committee on Counties and Towns, reported favorably on several bills, and unfavorably on

H. B. to establish the county of Badger.

H. B. to prevent the sale of intoxicating liquors within a mile and a half of Black Swamp Baptist Church, in Robeson county, passed second and third readings and ordered engrossed.

Mr. Guyther, by consent, introduced a resolution instructing the Judiciary Committee, which was, on motion, adopted.

S. B. to consolidate the school laws, was taken up.

Mr. Loftin moved an amendment to section 2. Adopted.

Mr. Wilson moved to amend section 38 by striking out "one twelfth" and inserting "one twentieth," which did not prevail, and the bill passed second reading. Ayes 62; Noes 33.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Brown, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Collis, Crawford, Currie, Darden, Dickey, Drake, Dudley, Dunham, Ellison, Fletcher, Garrison, Gatling, Gore, Grayson, Gregory, Guyther, Harris of Guilford, Hardy, Heaton, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Kelly of Moore, Kelsey, Lucas, Martin, Maxwell, McAllister, McNeill, Morgan of Wake, Mitchell, Newsome, Page, Phillips, Reid, Regan, Robbins, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Sykes, Waring, Welch, Willis, Williamson and Young of Wake—62.

NOES—Messrs. Bean, Broadfoot, Carson, Furr, Goodwin,

Gullick, Hargrove, Henderson, Houston, Hinnant, Johns, Jordan, Justice, Kincaid, Lassiter, Loftin, Luckey, Lyon, Marler, McCauley, Morgan of Montgomery, Nicholson, Paylor, Powell, Reavis, Settle, Smith of Halifax, Tucker of Iredell, Withers, Wilcox, Womack, Woodhouse and York—33.

On motion, the bill was made special order for Saturday next, at 12 M., and printed.

The hour for comparing the vote taken yesterday for a Senator to represent the State of North Carolina in the Congress of the United States having arrived, the General Assembly met in joint session. The portions of the Journals of the two Houses relating to said election were read, when the President of the Senate made the following announcement:

Senators and members of the House of Representatives:

It appearing from the Journal that the two Houses composing the General Assembly of the State of North Carolina did, on the 30th day of January, A. D. 1872, in conformity with law, proceed to ballot for Senator to represent said State in the Congress of the United States, to fill the vacancy caused by the resignation of Hon. Z. B. Vance; and it further appearing from the Journals that Mat. W. Ransom did, in said election, receive a majority of all the votes in each House of the General Assembly, I do, therefore, now declare that the said Mat. W. Ransom is duly elected a Senator to represent the State of North Carolina in the Congress of the United States to fill the vacancy aforesaid.

The House resumed its business.

A message was received from the Senate transmitting Senate amendments to House resolution in favor of Thos. H. Abrams, which was concurred in, and

S. B. to incorporate the Trinity Building and Loan Association of Trinity, N. C. Referred to committee on corporations;

S. B. to incorporate the Wilmington Ship Canal Company. Referred to committee on corporations;

S. B. to incorporate Catawba Vale and Fair View Turnpike Company. Read and referred to same committee;

S. B. in regard to probate of deeds and other instruments. Read and referred to judiciary committee;

S. B. to repeal chapter 274, laws of 1870–'71. Read and referred to same committee;

S. B. to lay off and establish a public road from Statesville to Wilkesboro'. Read and referred to committee on counties, towns, &c.;

S. B. to transfer certain cases undisposed of by the late county courts. Read and referred to the judiciary committee; and

S. R. relating to the Cherokee Indians. Read and referred to committee on counties, towns, &c.

H. B. to prevent fraud in the sale of commercial fertilizers, was taken up.

Mr. Withers moved to exempt Peruvian guano. Not adopted.

Mr. Sparrow to amend by inserting the word "fraudulent." Adopted.

Also, to strike out 4th section, which prevailed.

Mr. Settle to exempt the counties Rockingham and Caswell. Not adopted.

Mr. Darden called the previous question, and the bill passed third reading, and engrossed to-day.

Second special order, bill to amend chapter 24, laws of 1865–'66, was amended, on motion of Mr. Lottin, passed second reading and, on motion of Mr. Gregory, referred to judiciary committee.

S. B. to authorize commissioners of Watauga county to levy a special tax, passed second reading. Ayes 69; Noes 9.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Buxton, Cawthorn, Carson, Chamberlain, Crawford, Darden, Dickey, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Goodwin, Gore, Gullick, Grayson, Guyther,

Harris, of Guilford, Hargrove, Henderson, Houston, Hinnant, Johns, Jones of Northampton, Joyner of Pitt, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lyon, Maxwell, McAllister, McCauley, McNeil, Morgan of Montgomery, Mills, Newsome, Nicholson, Nisson, Phillips, Paylor, Powell, Reid, Regan, Robbins, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Standford, Stewart, Sykes, Tucker of Iredell, Waring, Wilcox, Womack, Woodhouse, Young of Wake and York—69.

Noes—Messrs. Brown, Bryant of Halifax, Bunn, Dudley, Faulkner, Johnson of Edgecombe, Justice, Smith of Halifax and Williamson—9.

Mr. Dunham, from Committee on Privileges and Elections, reported unfavorably on all bills before his committee.

Mr. Kincaid, from the Committee on Engrossed Bills, and Mr. Powell from the same committee, and Messrs. Lyon and McAllister, from same committee, reported numerous bills, resolutions, &c., as correctly engrossed, and they were transmitted to the Senate, with messages asking concurrence.

Mr. Currie, from the Committee on Enrolled Bills, report as correctly enrolled:

An act concerning the poor house in Surry county;

An act to re-enact and amend an act entitled an act to incorporate the National Loan Trust Company;

An act for the relief of Bryan Kellum;

An act to enable the commissionors of Burke and McDowell counties to consolidate the debts of their counties;

An act to authorize the commissioners of Brunswick county to issue bonds;

An act to amend chapter 6, private laws 1870–'71;

An act to revive an act passed session 1860–'61, to estabtablish the line between Wayne and Greene counties;

An act declaring Yadkin river a lawful fence;

An act in relation to vacant lands in Macon and other counties;

An act to repeal section 11, chapter 185, acts of 1868–'69; and they were ratified.

Mr. Mills, by consent, introduced a bill to remove restrictions on contracts. Read and referred to judiciary committee.

Mr. Bean: A bill to incorporate Hank Lodge, No. 128, F. & A. M. On the calendar.

Mr. Luckey: A resolution in favor of Jno. D. Cameron. Read and refered to finance committee.

On motion, the House adjourned.

THURSDAY, FEBRUARY 1ST, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

Messrs. Johnston, of Buncombe, McAfee and Morris were reported absent on duty on committee.

PETITIONS, MEMORIALS, &C.

By Mr. Loftin: A petition from certain citizens in and near Lenoir Institute asking repeal of chapter 44, private laws of special session of 1861. On the table under the rules.

REPORTS OF COMMITTEES.

Mr. Welch, from the Committee (joint select) on bill to aid in the completion of the Western Division of the Western North Carolina Railroad, reported amendments to Senate amendments.

Mr. Sparrow, from the Judiciary Committee, reported unfavorably on House bill to construe section 12 of chapter 65, Revised Code;

Amendments to bill to amend the charter of the city of Raleigh; favorably on

S. B. to repeal chapter 267, public laws of 1868–'69

S. B. to repeal chapter 274 of laws of 1870–'71;

S. B. in favor of Sarah Williams;

H. B. to declare the laws of evidence in certain cases;

Amendments to House bill to amend the charter of the city of Charlotte;

Bill in accordance with resolution of instructions to the Judiciary Committee;

Bill to amend chapter 43 of the acts of 1870–'71;

Amendment to Senate bill to be entitled an act to transfer certain cases undisposed of by the late county courts;

H. B. to amend chapter 178 of an act ratified April 12th, 1868, entitled "Of Proceedings in Criminal Cases," recommending the striking out of amendments adopted by the House; and unfavorably on

S. B. to amend the law in regard to the probate of deeds and other instruments.

BILLS INTRODUCED.

By Mr. York: A bill to repeal chapter 6 of laws of 1869–'70. Read and referred to committee on counties, towns, &c.

By Mr. Anderson: A bill supplemental to an act to annex portion of Macon county to Clay county. Read and placed on the calendar.

CALENDAR.

Mr. Loftin moved to take from the table Senate bill to repeal chapter 44, private laws of special session of 1861, which prevailed, and, on motion, the bill was taken up and made special order for to-night at 8½ P. M.

On motion of Mr. Welch, House bill to aid in the completion of the Western Division of the Western North Carolina Railroad, was taken up and the report of the committee of conference was concurred in.

H. B. to prevent the sale of spirituous liquors in Mt. Airy, Surry county, was taken up and passed second and third readings and ordered engrossed.

The use of the Hall was granted Mr. A. E. Noel Hope, Saturday evening, for a lecture.

S. B. to authorize the Commissioners of Watauga county to levy a special tax, on third reading, was taken up, passed and ordered enrolled. Ayes 66; Noes 4.

AYES—Messrs. Anderson, Armstrong, Ashe, Atkinson, Bean, Brooks, Broadfoot, Bryan of Jones, Buxton, Carson, Chamberlain, Clinard, Crawford, Darden, Dickey, Drake, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Hargrove, Hardy, Henderson, Houston, Hinnant, Johns, Jones of Caldwell, Jones of Northampton, Jordan, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Lyon, Marler, Maxwell, McCauley, Mitchell, Nicholson, Nisson, Paylor, Powell, Regan, Scott, Shull, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—66.

NOES—Messrs. Brown, Bunn, Faulkner and Johnson of Edgecome—4.

H. B. to prevent the sale of spirituous liquors in Friendship Township, Guilford county, was taken up, passed second and third readings and ordered engrossed.

S. B. in favor of Sarah Williams was taken up and passed second and third readings and ordered enrolled.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported favorably on

S. B. to amend an act to pay the expenses of idiots and lunatics incurred by counties in certain cases.

Special order, being Senate bill entitled, Concerning representation in the Senate, was taken up.

Mr. Carson offered an amendment striking out Iredell from the 33d district, which did not prevail.

Mr. Gullick, an amendment to 37th district, dividing it into two districts; which amendment prevailed.

Mr. Smith, of Wayne, to amend 11th district: "Sampson, Wayne and Greene shall elect two Senators; 13th district: Brunswick and Bladen shall elect one Senator."

Mr. Dunham, to amend the amendment, making Wayne and Duplin elect one Senator, and Lenoir and Greene elect one Senator; which was accepted by Mr. Smith and adopted by the House.

Mr. Williams, to amend: "Franklin, Warren and Nash shall elect two Senators;" which did not prevail.

Mr. Lucas, to amend: "the 2nd district, Beaufort and Hyde, shall elect one Senator," and "Washington, Martin, Dare and Tyrrell shall elect one Senator." The amendment did not prevail.

Mr. Dudley, to amend 8th district by adding "Jones, and that they shall elect two Senators," "and that Onslow and Carteret shall elect one Senator," which was not adopted.

Mr. Justice, to amend, making Rutherford, Polk, Henderson, Transylvania and Haywood one district, and shall elect two Senators; which was not adopted.

Mr. Dunham, to amend 15th district by adding the word "Senator," which was adopted.

Mr. Dunham, to amend 10th district by striking out "one" and inserting "two." Adopted.

By the same, to amend the 24th district, to strike out "two" and insert "one." Adopted.

By Mr. Heaton, to amend the bill so that New Hanover and Sampson shall elect two Senators. Not adopted, and the bill passed second reading.

Mr. Sparrow, from the Judiciary Committee, reported a substitute to House bill to repeal chapter 24 of the laws of 1865–'66.

A message was received from the Senate transmitting for concurrence:

Senate amendments to House bill supplemental to and amen-

datory of an act entitled an act to raise revenue, ratified — of January, 1872, and for other purposes. Concurrence was postponed to 1 o'clock P. M.; and

Senate amendments to House bill to regulate the time of holding the Superior Courts in the 11th and 12th judicial districts, which were concurred in, and

Report of joint committee on the lease of the North Carolina Railroad, with a proposition to print, which proposition was concurred in.

Mr. Currie in the chair.

H. B. to prohibit the sale of spirituous liquors in townships when the people so determine, was taken up.

Mr. Jones, of Caldwell, offered an amendment to come in as an additional section, which was ruled by the Speaker not in order.

Mr. Chamberlain moved to table the bill, on which motion the ayes and noes were called, and the motion failed. Ayes 31; Nays 56.

Ayes—Messrs. Anderson, Broadfoot, Brown, Bryant of Halifax, Bunn, Carson, Chamberlain, Dunham, Fletcher, Furr, Gambrel, Goodwin, Gullick, Hargrove, Henderson, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lucas, Luckey, Marler, Mills, Reavis, Settle, Smith of Halifax, Stanford, Withers, Wilcox, Woodhouse and York—31.

Noes—Messrs. Armstrong, Bean, Brooks, Buxton, Clinard, Crawford, Darden, Dickey, Dudley, Ellison, Faulkner, Garrison, Gatling, Gore, Grayson, Gregory, Harris of Guilford, Houston, Johns, Jordan, Justice, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lyon, Martin, Maxwell, McAllister, McCauley, Morgan of Wake, Nicholson, Nisson, Phillips, Paylor, Powell, Rankin, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Welch, Willis, Womack, Williamson and Young of Wake—56.

Mr. Gregory moved to amend by inserting after the enact-

ing clause: "the principal of cumulative suffrage shall apply."

Mr. Ashe moved to lay the amendment on the table.

Mr. Jones moved to adjourn, which did not prevail.

The question recurring on the motion to table, it did not prevail.

Mr. Jordan called the previous question, which was ordered.

Mr. Lucas having proposed an amendment exempting the county of Hyde from the operation of the bill, it did not prevail.

The amendment of Mr. Gregory did not prevail, and on the passage of the bill the ayes and noes were called, and the bill passed second reading. Ayes 53; Noes 39.

AYES—Messrs. Armstrong, Bean, Brooks, Buxton, Clinard, Crawford, Currie, Darden, Dickey, Dudley, Ellison, Gore, Grayson, Harris of Guilford, Hardy, Johns, Jordan, Justice, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Lyon, Martin, Maxwell, McAllister, McCauley, McNeill, Morgan of Wake, Mitchell, Nicholson, Nisson, Phillips, Paylor, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Welch, Willis, Womack, Williamson and Young of Wake—53.

NOES—Messrs. Anderson, Ashe, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Chamberlain, Drake, Dunham, Faulkner, Furr, Gambrel, Garrison, Gatling Goodwin, Gullick, Gregory, Hargrove, Henderson, Houston, Hinnant, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lucas, Luckey, Marler, Mills, Rankin, Reavis, Settle, Smith of Halifax, Strudwick, Withers, Wilcox, Woodhouse and York—39.

Mr. Jordan moved to postpone special order for the purpose of putting the bill on third reading, which prevailed, and motion to put the bill on third reading did not prevail.

Mr. Gregory, by consent, introduced a bill to provide for compilation of the Statutes. Read and referred to judiciary committee.

Mr. Powell, from Committee on Engrossed bills, reported the following bills and amendments as correctly engrossed:

H. B. 444, a bill to prevent frauds in the sale of Commercial Fertilizers;

H. B. 471, a bill to be entitled an act, to prevent the sale of liquors within two miles of Pleasant Hill Church;

H. B. 616, bill to prevent the sale of intoxicating liquors, near Baptist Swamp Church, in the county of Robeson;

House amendments to Senate bill to charter the Bank of Reidsville; and

House amendments to Senate bill to prevent deputy or assistant clerks from practicing as attorneys at law in the counties in which they act as deputy or assistant clerks.

A message was sent to the Senate transmitting the same; also reporting the adoption of report of the conference committee on Senate bill to aid in the completion of Western Division of Western North Carolina Railroad.

Mr. Speaker in the chair.

Mr. Currie, from Committee on Enrolled Bills, reported the following bills as correctly enrolled:

An act in relation to Stokes, Rockingham and Chowan county commissioners;

An act to incorporate the Brevard and Waynesville Turnpike Company;

An act to authorize the Western Railroad Company to open to navigation the waters of Lower Little river;

An act to amend section 8, chapter 44, of the Revised Code, entitled Evidence;

An act to punish the obtaining of goods by false pretences;

An act for exchanging the stocks of the State for bonds with which such stocks were obtained, and for other purposes;

An act in regard to delinquent sheriffs and tax collectors, and to validate certain acts of the State Treasurer;

An act to incorporate Rountree Lodge of Ancient Free and Accepted Masons, at Bethel Church, Lenoir county;

An act to amend chapter 233, laws of 1870–'71;

An act to amend the charter of the town of Hickory Tavern;

An act making appropriation for the Deaf, Dumb and Blind Asylum;

An act to legalize the acts of the Justices of the Peace of Rowan and other counties;

An act to authorize the County Commissioners of Union county to levy a special tax;

An act supplemental to an act to raise revenue;

An act to incorporate Atlantic Lodge, No. 294;

Resolution in regard to the Lovejoy Academy;

Resolution in favor of Charles H. Abrams;

Resolution to allow the Engrossing Clerk of the Senate to employ assistance;

And they were ratified.

On motion, the House adjourned.

EVENING SESSION.

First special order, being Senate amendments to House bill supplemental to and amendatory of an act to raise revenue, ratified —— day of January, 1872, was taken up and the amendments were concurred in.

A message was received from the Senate announcing that the Senate has refused to concur in House amendments to Senate bill to prevent deputy or assistant clerks from practicing as attorneys in counties in which they act as deputies, &c., and ask a committee of conference, and that Messrs. Robbins of Rowan, Mauney and Council were appointed Senate branch of said committee.

The request was concurred in.

Mr. Sparrow introduced a bill to amend an act to authorize the Albemarle Swamp Land Company to construct a railroad from Pantego to Indian River. Placed on the calendar.

S. B. to amend the charter of the Fayetteville and Florence

Railroad Company, being second special order, was taken up, passed third reading and ordered enrolled.

H. B. to amend an act to authorize the Albemarle Swamp Land Company to construct a railroad from Pantego to Indian River was, on motion, taken up, passed second and third readings and ordered engrossed.

H. R. of instruction to the Public Treasurer to pay D. C. Dudley, Jno. C. Gorman and J. C. Marcom, each $60, was taken up and passed second reading.

Mr. Tucker, of Craven, moved to amend by striking out "60" and inserting "40;" which did not prevail.

Mr. Clinard moved to amend by striking out "40" and inserting "30;" which did not prevail.

Mr. Clinard called the ayes and noes on the third reading of the resolution.

The call was sustained and the resolution passed third reading and ordered engrossed. Ayes 48; Noes 26.

AYES—Messrs. Anderson, Armstrong, Ashe, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Chamberlain, Crawford, Currie, Darden, Dickey, Dunham, Ellison, Faulkner, Fletcher, Furr, Gatling, Goodwin, Gullick, Hargrove, Henderson, Johnson of Edgecombe, Jordan, Kelly of Davie, Loftin, Lucas, Luckey, Lyon, Mabson, Morris, Nisson, Reid, Regan, Settle, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Waring, Withers, Womack, Woodhouse and Williamson—48.

NOES—Messrs. Atwater, Bean, Carson, Clinard, Garrison, Grayson, Heaton, Houston, Hinnant, Johnston of Buncombe, Kelsey, Kincaid, Lassiter, Marler, Maxwell, McCauley, Mitchell, Nicholson, Paylor, Powell, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Wilcox and York—26.

H. B. to amend the charter of the town of Statesville was taken up and passed second and third readings and ordered engrossed.

Mr. Broadfoot, from the Committee on Corporations, re-

ported amendments to Senate bill to incorporate the Newbern and Beaufort Canal Company.

S. B. to amend an act to pay expenses of lunatics and idiots which have been incurred by counties in certain cases, was taken up and passed second and third readings and ordered enrolled.

H. B. to authorize the commissioners of the town of Washington to levy a special tax in certain cases was taken up and passed second reading. Ayes 70; Noes 8.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryan of Jones, Buxton, Carson, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Dunham, Ellison, Fletcher, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Hargrove, Heaton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelsey, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Maxwell, McAllister, McCauley, McNeill, Morris, Mitchell, Nicholson, Nisson, Paylor, Powell, Rankin, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—70.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Bunn, Faulkner, Johnson of Edgecombe, Marler, and Smith of Halifax—8.

H. B. to incorporate Hanks Lodge, No. 128, in the town of Franklinton, Randolph county, was taken up and passed second and third readings and ordered engrossed.

H. B. to amend the charter of the city of Raleigh, was taken up.

Mr. Johnson, of Edgecombe, moved to lay the bill on the table, and the motion prevailed.

Mr. Jones, of Caldwell, moved to reconsider the vote.

Mr. Johnson, of Edgecombe, moved to lay the motion on the table, and called for the ayes and noes. The call was not

sustained, and the motion to reconsider prevailed. Ayes 29; Noes 46.

AYES—Messrs. Broadfoot, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Darden, Dunham, Faulkner, Fletcher, Furr, Garrison, Goodwin, Gullick, Hargrove, Heaton, Henderson, Hinnant, Johnson of Edgecombe, Kelly of Davie, Luckey, Marler, Morris, Mitchell, Regan, Smith of Halifax, Stewart, Wilcox, Woodhouse and York—29.

NOES—Messrs. Armstrong, Ashe, Atwater, Bean, Brooks, Brown, Buxton, Clinard, Crawford, Currie, Dickey, Gambrel, Gatling, Gore, Grayson, Houston, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelsey, Kincaid, Lassiter, Lucas, Lyon, Maxwell, McAllister, McCauley, McNeill, Nicholson, Nisson, Paylor, Powell, Rankin, Reid, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Waring, Welch, Withers and Womack—46.

Mr. Jones moved to suspend the rules to put the bill on its third reading, and the motion prevailed.

Mr. Dunham moved to strike out 6th day of March and insert first Monday in May, which was adopted.

Mr. Jones, of Caldwell, called the ayes and noes on the third reading. The call was sustained, and the bill failed to pass. Ayes 38; Noes 39—Mr. Speaker voting no.

AYES.—Messrs. Armstrong, Atwater, Bean, Brooks, Buxton, Clinard, Crawford, Currie, Darden, Garrison, Gore, Grayson, Houston, Joyner of Johnston, Jordan, Kelsey, Kincaid, Lassiter, Maxwell, McAllister, McCauley, McNeill, Nicholson, Nisson, Paylor, Powell, Reid, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Waring, Welch, Withers and Womack—38.

NOES.—Mr. Speaker, Messrs. Ashe, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Carson, Chamberlain, Drake, Dunham, Faulkner, Fletcher, Furr, Gambrel, Goodwin, Gullick, Hargrove, Heaton, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of

Caldwell, Kelly of Davie, Loftin, Luckey, Marler, Morris, Mitchell, Rankin, Reavis, Regan, Scott, Smith of Halifax, Stewart, Wilcox, Woodhouse and York—39.

S. B. to repeal chaper 44, private acts of special session of 1861, was taken up and passed second reading.

On motion, the bill was put on its third reading.

Mr. Grayson called the ayes and noes on the passage of the bill on third reading, and the bill failed to pass. Ayes 34; Noes 49.

Ayes—Messrs. Ashe, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Chamberlain, Crawford, Currie, Dunham, Faulkner, Fletcher, Gambrel, Goodwin, Gullick, Hargrove, Heaton, Henderson, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Loftin, Luckey, Marler, McAllister, Morris, Reavis, Smith of Halifax, Womack, Woodhouse and York—34.

Noes.—Messrs. Armstrong, Atwater, Bean, Brooks, Buxton, Carson, Clinard, Darden, Dickey, Drake, Ellison Furr, Garrison, Gatling, Gore, Grayson, Gregory, Joyner of Johnston, Jordan, Justice, Kelsey, Kincaid, Lassiter, Lucas, Lyon, Martin, Mabson, Maxwell, McCauley, McNeill, Mitchell, Nicholson, Nisson, Paylor, Powell, Rankin, Reid, Regan, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Waring and Withers—49.

Mr. Gregory moved to re-consider the vote and to lay the motion on the table, and the motion to table prevailed.

H. B. supplemental to an act to annex a portion of Macon county to Clay county, was taken up and passed second and third readings and ordered engrossed.

Mr. Johnson, of Edgecombe, moved to adjourn, which did not prevail.

S. B. to transfer certain cases undisposed of by the late county courts, was taken up.

The amendment offered by the Judiciary Committee was adopted.

Mr. Hargrove moved an amendment providing the act

shall not apply to cases litigated at the time of the passage of this act; which was adopted and the bill passed second reading.

S. B. to legalize the sale of certain land in the town of Ashville was taken up. The committee changed the report from unfavorably to favorably, and the bill passed second and third readings and ordered engrossed.

Mr. Sparrow moved to reconsider the vote by which Senate bill to repeal chapter 227, of laws of 1869-'70, failed to pass its second reading.

Mr. Withers moved to reconsider the vote by which resolution in favor of employees of the General Assembly passed third reading, and the motion prevailed.

On motion, the House adjourned.

FRIDAY, February 2d, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair.

Prayer by Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

On account of sickness in his family, indefinite leave of absence was granted Mr. Johns.

REPORTS OF COMMITEES.

Mr. Currie, from the Committee on Corporations, reported favorably on

Senate bill to incorporate Trinity Building and Loan Association of Trinty, N. C.

Mr. Marler, from the same committee, reported favorably on

Senate bill to incorporate Catawba Vale and Fair View Turnpike Company.

Messrs. Johnston of Buncombe, McAfee and Morris, were reported absent on committee.

Mr. Ashe, from Committee on Finance reported favorably on House bill to authorize C. C. Vest, former sheriff of Cherokee County, to collect arrears of taxes.

RESOLUTIONS INTRODUCED.

By Mr. York: A resolution concerning Public bills on the calendar. Read and placed on the calendar.

CALENDAR.

The unfinished business (being House resolution in favor of the servants employed by this General Assembly,) was taken up.

Mr. Withers offered a substitute which was adopted, passed second and third readings and ordered engrossed.

Mr. Stanford moved to reconsider the vote by which House bill to repeal chapter 24, private laws of special session of 1861, failed to pass third reading. The motion prevailed and the question recurring on the third reading of the bill, it passed.

The hour for consideration of the special order having arrived it was taken up, (being bill concerning election and registration in the year of our Lord 1872,) and on motion it was considered by sections.

Sections 1, 2, 3 and 4, were read and adopted.

Section 5 was amended, on motion of Mr. Dunham, and adopted.

Section 6 was read and adopted.

Section 7 was read.

Mr. Brown moved to strike it out.

Mr. Dunham called the previous question on the adoption of the section. It was ordered.

Mr. Brown called the ayes and noes on his motion to strike out. The call was sustained and the motion did not prevail—Ayes 27; Noes 62.

AYES.—Messrs. Brown, Bryan of Jones, Bunn, Buxton, Carson, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Harris of Franklin, Hargrove, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morgan of Wake, Nisson, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—27.

NOES.—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Hampton, Hardy, Henderson, Houston, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Womax, Woodhouse and York—63.

And the section was adopted.

Section 8 was read and amended, on motion of Mr. Dunham and adopted.

Section 9 was read, amended on motion of Mr. Dunham, and adopted.

Section 10 was read and adopted.

Section 11 was read.

Mr. Hargrove moved to strike out the word "no" before the word "election." Not adopted.

Mr. Justice moved to strike out the section.

Mr .Sparrow moved anamendment to the section, when, after discussion,

Mr. Dunham called the previous question.

Mr. Mabson called the ayes and noes, on the call for the previous question. The call was sustained and the main question was ordered—Ayes 58; Noes 32.

AYES—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Brown, Chamberlain, Clinard, Crawford, Currie, Darden, Drake, Duckworth, Dunham, Gambrel, Gatling, Gore, Gul-

lick, Grayson, Gregory, Hampton, Hinnant, Johns, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeal, Mitchell, Nicholson, Paylor, Powell, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse and York—58.

Noes—Messrs. Bean, Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Houston, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Mabson, Morgan, Nisson, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—32.

The amendment of Mr. Sparrow was adopted.

Mr. Justice called the ayes and noes on his motion to strike out. The call was sustained and the motion did not prevail—Ayes 44; Noes 46.

Ayes—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Darden, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Gambrel, Garrison, Goodwin, Grayson, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Houston, Johnson of Edgecombe, Jones of Northampton, Justice, Lassiter, Loftin, Lyon, Mabson, Marler, Morgan, Nisson, Phillips, Reavis, Shull, Smith of Halifax, Stewart, Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—44.

Noes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Chamberlain, Clinard, Currie, Dickey, Drake, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelley of Moore Kincaid, Lucas, Lucky, Maxwell, McAllister, McCauley, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Smith of Anson, Smith of Wayne,

Sparrow, Stanford, Strudwick, Waring, Welch, Withers, Womack and York—46.

And the section was adopted.

Section 12 was read.

Mr. Dudley called the ayes and noes on its adoption. The call was sustained and the section was adopted—Ayes 55; Noes 28.

AYES—Messrs. Anderson, Armstrong, Ashe, Clinard, Crawford, Currie, Darden, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton Henderson, Hinnant, Jones of Caldwell, Joyner of Johnston, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—55.

NOES—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Ellison, Faulkner, Fletcher, Garrison, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Lyon, Mabson, Morgan of Wake, Nisson, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—28.

Mr. Welch then moved to reconsider the vote by which the House agreed to consider the bill by sections;

Which motion Mr. Dudley moved to lay on the table, and called the ayes and noes.

The call was sustained and the motion did not prevail. Ayes 30; Noes 60.

AYES—Messrs. Bean, Brooks, Brown, Bryant of Halifax Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Fletcher, Garrison, Guyther, Hargrove, Hardy, Heaton Johnson of Edgecombe, Jones of Northampton, Justice, Lyon, Mabson, Morgan of Wake, Nisson, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Young of Wake—30.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Carson, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore Gullick, Grayson, Gregory, Hampton, Henderson, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and York—60.

Mr. Dudley then called the ayes and noes on the motion to reconsider, and the motion prevailed. Ayes 61; Noes 30.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Carson, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Lucky, Marler, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse and York—61.

NOES—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Fletcher, Guyther, Hargrove, Hardy, Heaton, Jones of Northampton, Justice, Lottin, Lyon, Mabson, Morgan of Wake, Nisson, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis, Williamson and Young of Wake—30.

Mr. Heaton moved to postpone further consideration till Monday next, at 11 A. M.

Mr. Justice gave notice of an amendment.

Mr. Marler moved to table the motion to postpone consideration, which did not prevail; and the motion to postpone,

under a call for the ayes and noes, did not prevail. Ayes 26; Noes 64.

AYES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morgan of Wake, Nisson, Reavis, Sykes, Tucker of Craven and Willis—26.

NOES—Messrs. Anderson, Armstrong, Ashe, Atwater, Broadfoot, Carson, Chamberlain, Clinard, Crawford, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly or Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Paylor, Powell, Rankin, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Wilcox, Womack and York—64.

Mr. Dunham moved several minor amendments, which were adopted.

Mr. Welch moved to strike out in line 13, section 16, the word "white," and called the previous question on the motion.

Mr. Dudley called the ayes and noes on the call for the previous question.

The call was sustained and the main question was ordered. Ayes 63; Noes 28.

AYES—Messrs. Anderson, Armstrong, Atkinson, Bean, Brooks, Broadfoot, Carson, Chamberlain, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Hinnant, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Robinson,

Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—63.

Noes—Messrs. Brown, Bryant of Halifax, Bryan of Jones, Buxton, Cawthorn, Dudley, Ellison, Faulkner, Garrison, Goodwin, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Mabson, Morris, Morgan of Wake, Newsome, Nisson, Page, Reavis, Smith of Halifax, Tucker of Craven and Williamson—28.

And the amendment did not prevail.

Mr. Heaton moved an amendment.

Mr. Dunham called the previous question on the passage of the bill, on which Mr. Heaton called the ayes and noes.

The call was sustained, and the main question ordered. Ayes 63; Noes 29.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Carson, Chamberlain, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—63.

Noes—Messrs. Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Mabson, Morgan of Wake, Newsome, Nisson, Page, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—29.

The question being on the amendment of Mr Justice, of which notice had been given, to insert in line 14, section 16, the words "with or" before the word "without,"

The ayes and noes were called, and the amendment was not adopted. Ayes 31; Noes 57.

Ayes—Messrs. Brooks, Bryant ot Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecome, Jones of Northampton, Justice, Loftin, Mabson, Morgan ot Wake, Newsome, Nisson, Page, Phillips, Smith of Halifax, Sykes, Tucker of Iredell, Willis and Woodhouse—31.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broodfoot, Chamberlain, Crawford, Currie, Dickey, Drake, Dunham, Furr, Grambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Joyner of Johnston, Joyner of Pitt, Jordan, Kelly of Davie, Kelly ot Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Paylor, Powell, Rankin, Reid, Regan, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Waring, Welch, Withers, Williamson and York—57.

The question recurring on the amendment of Mr. Heaton, it was not adopted. (The ayes and noes being called.) Ayes 35; Noes 58.

Ayes—Messrs. Bean, Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Garrison, Goodwin, Guyther, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Mabson, Marler, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—35.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Chamberlain, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Hinnant, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Re-

gan, Robinson, Settle, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—58.

The question being on the passage of the bill on its second reading,

Mr. Brown called the ayes and noes.

The call was sustained, and the bill passed. Ayes 63; Noes 32.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Chamberlain, Crawford, Currie, Dickey, Drake, Duckworth, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Paylor, Rankin, Reid, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—63.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Mabson, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—32.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to amend section 7, chapter 237, laws of 1868-'69, entitled "an act to establish the days and place for selling real property under execution, and for other purposes;"

An act to incorporate the Thompson Institute;

An act amendatory of an act entitled an act to incorporate the Hiwassee and Cheoah Turnpike Company;

An act to be entitled an act to amend an act to incorporate

the Land and Lumber Company of North Carolina, ratified December 17th, A. D. 1872;

An act to incorporate Asheville Council, No. 4, Friends of Temperance, in Asheville, N. C.;

An act to regulate the times of holding the Superior Courts in the 11th and 12th judicial districts;

An act to authorize the commissioners of Watauga county to levy a special tax;

An act to authorize the commissioners of Camden county to levy a special tax;

An act to legalize the acts of George D. Reynolds, entry taker, for claims of land, in Alleghany county;

An act to incorporate the trustees of the general assembly of the Presbyterian church of the United States;

An act to amend the charter of of the town of Salem, North Carolina;

An act for the relief of the tax-payers of Madison county;

An act to incorporate the town of Cherryville, in the county of Gaston;

An act supplementary to an act amendatory of an act entitled an act to raise revenue, ratified January, A. D. 1872, and for other purposes;

An act to prevent the catching of oysters in Far creek, Hyde county;

An act to change the line between the counties of Ashe and Alleghany;

An act concerning the annexation of a portion of Macon county to the county of Clay, and a

Resolution of instructions to the committee on printing; and the same were ratified.

Mr. McAllister, from the Committee on Engrossed Bills, reported as correctly engrossed the following bills and resolutions:

H. B. 446, to prevent the sale of spirituous liquors within one mile of Mount Airy Academy;

H. B. 485, to prevent the sale of spirituous liquors in Friendship township in Guilford county;

H. B. 348, to prevent the sale of spirituous liquors within one mile of the town of Lenoir.

H. B. 528, to incorporate Hanks Lodge, No. 128, in the town of Franklinsville, Randolph county;

H. R. 146, instructing the Public Treasurer to pay D. C. Dudley, John C. Gorman and James C. Marcom each the sum of sixty dollars ($60.00), and a message was sent transmitting the same the to Senate for concurrence; also

H. R. (reported by Mr. McAllister as correctly engrossed,) in favor of employees of this General Assembly.

On motion the House adjourned.

SATURDAY, February 3d, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Grayson, of the House.

The Journal of yesterday was read and approved.

RESOLUTIONS INTRODUCED.

By Mr. Gregory: A resolution concerning the calendar. Read and placed on the calendar.

BILLS INTRODUCED.

By Mr. Jordan: A bill concerning the taxation on Banks and for other purposes. Read and placed on the calendar;

By Mr. Tucker: A bill to regulate the sale of spirituous liquorsin the town of Statesville. Read and referred to the committee on propositions and grievances;

By Mr. Sparrow: A bill supplemental to an act to lay off

and establish the new county of Pamlico. Read and placed on the calendar.

By the same: A bill to prescribe the practice and proceedings in actions by creditors of deceased persons against their personal representatives. Read and referred to the committee on judiciary.

Messages were received from the Senate transmitting and asking concurrence in the passage of

S. B. 380, to restore the provisions of the Revised Code in relation to Public Printing. Read and referred to committee on printing;

S. B. 435 to protect the property and revenues of the University. Read and referred to committee on education;

S. B. to incorporate the Buck Swamp and Scotland Neck Railroad Company. Read and referred to committee on internal improvements.

S. B. to make Dutchman's Creek a lawful fence in Davie county. Read and placed on calendar.

S. B. to amend chapter 37, section 6, of private laws of 1870–'71. Read and referred to the committee on judiciary;

S. B. to authorize the election of a town constable in Elizabeth City. Read and referred to committee on counties, towns, &c.;

S. B. to amend an act to charter High Shoals Railroad. Placed on calendar by request;

S. R. appointing Dr. R. W. Sharpe a member of the Board of Public Charities. Read and referred to committee on judiciary; and

Engrossed amendments to House bill supplemental to an act to incorporate the Orapeake Canal and Turnpike Company; which were concurred in;

S. B. to amend section 27, chapter 369, of laws of 1868–'69. Read and referred to committee on the judiciary;

S. B. to incorporate the Yadkin River Navigation Company. Read and referred to committee on internal improvements;

S. B. supplemental to an act to incorporate the Dawson Bank. Read and referred to committee on corporations; and

S. B. to prevent the destruction of fish in the waters of Black River and Six Runs, in New Hanover and Sampson counties. Read and referred to committee on propositions and grievances.

CALENDAR.

Resolution in reference to bonds issued during the existence of the Confederate States for the purpose of internal improvements, being special order displaced by the business of yesterday, was taken up.

Mr. Dudley moved to lay the resolution on the table.

On which, Mr. Johnson, of Edgecombe, called the ayes and noes.

The call was sustained and the motion prevailed. Ayes 59; Noes 16.

AYES—Messrs. Anderson, Atwater, Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Clinard, Darden, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Gambrel, Garrison, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jordan, Justice, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Marler, McCauley, Morris, Mitchell, Nisson, Page, Phillips, Powell, Reavis, Settle, Smith of Halifax, Stewart, Sykes, Tucker of Iredell, Tucker of Craven, Welch, Willis, Womack, Woodhouse, Williamson and York—59.

NOES—Messrs. Armstrong, Ashe, Brooks, Chamberlain, Crawford, Furr, Gore, Gregory, Houston, Jones of Caldwell, Maxwell, Mills, Regan, Smith of Wayne, Stanford and Withers—16.

A message was received from the Senate transmitting

Senate amendments to House bill to abolish the office of

Supreme Court Reporter and for other purposes; which were concurred in.

On motion, the bill concerning election and registration in the year of our Lord one thousand eight hundred and seventy two, was taken up.

Mr. Dunham offered an amendment in section 13, line 13: Strike out the word "precinct" and insert "township," which was adopted.

Mr. Guyther moved to amend by inserting after the word device the words, "except the American eagle or the flag of the Union."

Mr. Dunham called previous question; on which

Mr. Dudley called the ayes and noes. The call was sustained and the previous question was ordered. Ayes 56; Noes 30.

AYES.—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McNeill, Mills, Mitchell, Paylor, Powell, Regan, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and York—56.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Dudley, Ellison, Faulkner, Garrison, Gatling, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Justice, Loftin, Lyon, Morris, Newsome, Nisson, Page, Phillips, Reavis, Smith of Halifax, Tucker of Craven, Willis and Williamson—30.

The question recurring on the amendment of Mr. Guyther, the ayes and noes were called, and the amendment did not prevail. Ayes 28; Noes 58.

AYES.—Messrs. Bean, Brown, Bryant of Halifax, Bryan of

Jones, Bunn, Dudley, Ellison, Faulkner, Fletcher, Garrison, Guyther, Harris of Guilford, Hargrove, Hardy, Johnson of Edgecombe, Justice, Loftin, Lyon, Morris, Newsome, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven and Wiliamson—28.

Noes.—Messrs. Armstrong, Ashe, Atwater, Carson, Chamberlain, Clinard, Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Houston, Henderson, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Paylor, Powell, Regan, Robinson, Settle, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—58.

The question recurring on the final passage of the bill, the ayes and noes were called and the bill passed. Ayes 59; Noes 30.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Chamberlain, Clinard, Crawford. Currie, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Paylor, Powell, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—59.

Noes.—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Carson, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Guyther, Hargrove, Hardy, Johnson of Edgecombe, Justice, Loftin, Lyon, Morris, Newsome, Nisson, Page, Phillips, Reavis, Sykes, Tucker of Craven, Willis and Williamson—30.

Mr. Dunham, by consent, reported from Joint Special Committee on affairs of printing, to audit accounts.

The hour for consideration of special order, being Senate bill to consolidate the school laws, &c., having arrived, it was, on motion, postponed for disposition of House bill to fix the salary of the Governor, which was taken up and passed second reading.

Mr. Jones, of Caldwell, moved to refer the bill to the committee on finance, which was withdrawn by consent.

Mr. Withers moved an amendment, "that the salary of the Public Treasurer shall be two thousand dollars."

Mr. Phillips moved to refer the bill to the finance committee, and the motion prevailed.

Mr. Ashe moved to postpone consideration of the special order till Monday at 11 A. M., and the motion prevailed.

On motion of Mr. Ashe, Senate bill concerning representation in the Senate, was taken up, when he offered an amendment striking out lines from one to five, and insert.

Which was adopted.

By Mr. Ashe: To amend so that "the 17th District, Wake, shall elect two Senators, the 23d District, Alamance and Guilford, shall elect one Senator."

Which was not adopted.

Mr. Ellison moved to amend, making "Franklin and Wake the 17th Senatorial District, and shall have two Senatorsf" and the amendment prevailed.

Mr. Phillips moved to strike out the word "Franklin" in the seventh district, and the word "two," and insert the word "one." The motion prevailed.

Mr. Guyther moved to amend by striking out "Beaufort and Hyde" from the 2d district and that the remaining counties shall elect one Senator. The amendment did not prevail.

Mr. Tucker, of Iredell, moved to amend by allowing one Senator to Iredell, and Alexander and Wilkes one Senator. The amendment did not prevail.

Mr. Loftin moved to amend, that Duplin county shall elect one Senator. The amendment did not prevail.

Mr. Ashe moved to reconsider the vote making Franklin and Wake one district and giving it two Senators. The motion did not prevail.

Mr. Page moved a substitute to the 1st district.

The substitute was not adopted and the bill passed third reading. Ayes 54; Noes 32.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Hampton, Harris of Guilford, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, Mills, Mitchell, Powell, Regan, Robinson, Settle, Shull, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—54.

NOES—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Darden, Dudley, Ellison, Faulkner, Fletcher, Garrison, Gatling Guyther, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Justice, Loftin, Lyon, Morris, Newsome, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—32.

And amendments ordered engrossed.

Mr. Sykes moved to reconsider the vote by which the bill passed third reading.

Mr. Houston, by consent, reported from the committee of conference on

S. B. to prevent deputy or assistant clerks from practicing law in the counties in which they hold office, &c.

On motion of Mr. Crawford, the vote by which bill concerning representation in the Senate passed its third reading, was reconsidered, and the motion was laid on the table.

A message was received from the Senate transmitting Sen-

ate amendments to House bill to lay off and establish the new county of Pamlico, which were concurred in.

Also a message transmitting for concurrence

S. amendments to House bill to create a board of commissioners of Navigation for Ocracoke and Hatteras inlets, which were concurred in.

Mr. Waring, by consent, from the Committee on Printing, reported unfavorably on Senate bill to re-enact the provisions of Revised Code in regard to printing.

On motion of Mr. Sparrow, House bill to authorize the levy of a special tax in the town of Washington, was taken up and passed third reading and ordered engrossed—Ayes 62; Noes 11.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Bryan of Jones, Chamberlain, Clinard, Crawford, Currie, Darden, Drake, Dunham, Ellison, Furr, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Hargrove, Hardy, Johnston of Bumcombe, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly Davie, Kelly of Moore, Kelsey, Kincaid, Lassiter, Loftin, Luckey, Lyon, Martin, Maxwell, McAllister, McCauley, Morris, Mills, Mitchell, Nisson, Phillips, Powell, Regan, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Withers, Wilcox, Womack, Woodhouse and York—62.

Noes—Messrs. Brown, Dudley, Faulkner, Johnson of Edgecombe, Jones of Northampton, Justice, Marler, Newsome, Page, Smith of Halifax and Williamson—11.

Senate bill to amend the charter of the High Shoals Railroad, was taken up andp assed second and third readings and ordered engrossed.

Mr. Powell moved that when this House adjourn, it adjourn to meet at 3½ o'clock.

Mr. Jones, of Caldwell, moved to adjourn. Withdrawn for the purpose of motion to grant leave of absence to Mr. Paylor, on accout of sickness in his family, which was granted.

Mr. Jones renewed his motion. The ayes and noes were called on the motion to adjourn and the motion did not prevail.

Ayes—Messrs. Bean, Brown, Bryant of Halifax, Bryan of Jones, Buxton, Chamberlain, Darden, Faulkner, Harris of Guilford, Hargrove, Henderson, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Kelly of Davie, Kelly of Moore, Loftin, Martin, McNeill, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Stewart, Tucker of Craven, Waring, Welch, Wilcox and Williamson—29.

Noes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Clinard, Currie, Dickey, Duckworth, Dunham, Ellison, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Houston, Hinnant, Johnston of Buncombe, Joyner of Johnston, Jordan, Kelsey, Lassiter, Luckey, Marler, Maxwell, McAllister, McCauley, Morris, Mills, Mitchell, Newsome, Nisson, Phillips, Paylor, Shull, Smith of Wayne, Strudwick, Woodhouse and York—45.

Mr. McAllister moved that when the House adjourn, it do so to meet at 3½ P. M., and called the ayes and noes; the call was sustained and the motion prevailed.

Ayes—Messrs. Anderson, Armstrong, Ashe Atwater, Brooks, Broadfoot, Chamberlain, Clinard, Currie, Darden, Dickey, Drake, Dunham, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Gregory, Harris of Guilford, Hardy, Houston, Johnston of Buncombe, Joyner of Johnston, Kelsey, Kincaid, Lassiter, Luckey, Marler, Maxwell, McAllister, McCauley, Morris, Mills, Mitchell, Phillips, Powell, Regan, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Welch, Withers, Wilcox, Womack, Woodhouse, Williamson and York—52.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Dudley, Hargrove, Henderson, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Loftin, Newsome, Nisson, Page, Reavis, Sparrow, Tucker of Iredell, Tucker of Craven, Waring and Willis—22.

Mr. McAllister moved to adjourn and called the ayes and noes, and the House refused to adjourn.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater,

Brooks, Broadfoot, Currie, Darden, Dickey, Drake, Dunham, Gambrel, Garrison, Gatling, Gore, Gullick, Grayson, Hampton, Henderson, Joyner of Johnston, Jordan, Lassiter, Luckey, Marler, Maxwell, McAllister, McCauley, McNeill, Phillips, Powell, Regan, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Withers Womack, Woodhouse and York—41.

Noes—Messrs. Bean, Brown, Bryant of Halifax, Buxton, Chamberlain, Collis, Dudley, Ellison, Faulkner, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Houston, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Morris, Newsome, Nisson, Page, Reavis, Smith of Halifax, Tucker of Iredell, Tucker of Craven, Welch, Willis and Williamson—32.

Mr. Williamson moved to reconsider the vote by which the House refused to adjourn; the motion did not prevail.

Mr. Robinson, from Committee on Enrolled Bills, reported the following as correctly enrolled:

An act to charter the Bank of Reidsville;

An act to charter the Carolina Narrow Guage Railroad;

An act to incorporate Raleigh Hook and Ladder Company;

An act to incorporate the Cape Fear Club;

Resolution in favor of Wm. H. Hamilton and Joseph A. Miller; and they were ratified.

The following order from the chair was announced:

House Branch of Conference Committee on House Amendments to the Bill to Charter the town of Battleboro'—Messrs. Drake, Chamberlain, Gatling, Woodhouse and Bunn.

House Branch of Conference Committee on House Amendments to Senate Bill to prevent Deputy or Assistant Clerks from practicing as Attorneys-at-Law, &c.—Messrs. Gregory, Carson, Houston, Hinnant and Jordan.

Mr. Clinard, from Committee on Engrossed Bills, reported the following as correctly engrossed:

H. B. 529, an act supplemental to an act to annex a portion of Macon county to Clay county;

H. B. 492, an act to amend the charter of the town of Statesville ;

H. B. 475, an act to legalize certain sales of land in the town of Asheville ;

H. B. 533, a bill to be entitled an act to amend an act entitled an act to authorize the Albemarle Swamp Land Company to construct a railroad from Pantego to Indian river, in Beaufort county ;

And also House amendments to a bill to amend the charter of the Fayetteville and Florence Railroad Company.

Mr. Sparrow, from the Judiciary, reported unfavorably on

H. B. 527, to remove restrictions upon contracts.

Mr. McNeill, from Committee on Propositions and Grievances, reported favorably on

H. B. 546, to regulate the sale of spirituous liquors in the town of Statesville, and unfavorably on

S. B. 414, to prevent the destruction of fish in the waters of Black river and Six Runs, in New Hanover and Bladen counties.

Mr. Joyner, from the Committee on the Library, reported favorably on

S. B. 342, for the better regulation and protection of Public Libraries.

Mr. Ashe, from the Committee on Finance, reported favorably on

S. B. 328, authorizing the Treasurer to return money improperly collected on taxes, and on

H. R. 149, in favor of J. D. Cameron.

A message was received from the Senate transmitting the following bills and resolutions which had passed that body:

SENATE BILLS AND RESOLUTIONS.

S. R. 400, to raise a Joint Select Committee to re-write the Constitution of the State;

S. B. 520, a bill for the better government of the Penitentiary;

S. R. to raise a Joint Committee to treat with Coleman Brothers for the surrender of their contract to build the Penitentiary;

S. B. 512, a bill to prevent the felling or cutting of timber in the waters of Upper Broad creek;

S. R. 524, in favor of Geo. W. Lewis, Sheriff of Nash;

S. R. 538 in favor of the tax collectors of McDowell county;

S. B. 205, a bill to amend section 419, chapter 1, title 19, Code of Civil Procedure;

Amendments to S. B. 486;

H. B. 400, a bill to create a board of commissioners of navigation for the ports Ocracoke and Hatteras inlets;

S. B. 394, a bill to incorporate the Ransom Bridge and Weldon Transportation Company;

S. B. 553, a bill to be entitled an act to repeal chapter 13, laws of special session of 1868, ratified August 11th, 1868;

H. B. 420, a bill to be entitled an act to lay off and establish a new county by the name of Pamlico, with an amendment, in which the concurrence of the House is asked.

Mr. Anderson moved to adjourn, called the ayes and noes, and the House adjourned.

EVENING SESSION.

Mr. Johnston, of Buncombe, in the Chair.

BILLS.

On motion of Mr. Stanford a bill to incorporate the town of Faison, in Duplin county, was taken up and amended on motion of Mr. Stanford, and passed second and third readings and ordered engrossed.

H. B. supplemental to an act to lay off and establish the new county of Pamlico was taken up.

Mr. Loftin called the ayes and noes on the passage of the bill; the call was not sustained, and the bill passed second and third readings, and ordered engrossed.

H. B. to authorize C. C. Vest, late sheriff of Cherokee county, to collect arrears of taxes, was taken up and passed second and third readings and ordered engrossed.

S. B. to construct a turnpike road from Catawba Vale to Fair View, was taken up, and, under a call for the ayes and noes, passed second reading. Ayes 66; Noes none.

Ayes.—Messrs. Anderson, Armstrong, Ashe, Atwater, Bean, Brooks, Broadfoot, Brown, Buxton, Carson, Chamberlain, Clinard, Currie, Darden, Dickey, Drake, Dunham, Faulkner, Fletcher, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Hampton, Hargrove, Hardy, Henderson, Houston, Hinnant, Jones of Caldwell, Joyner of Johnston, Jordan, Kelly of Moore, Kincaid, Lassiter, Loftin, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Mills, Mitchell, Powell, Regan, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and York—66.

The bill, by consent, went on its third reading and passed, and ordered enrolled.

Mr. Luckey, by consent, introduced a bill to levy a special tax for the benefit of the Insane Asylum. Read and placed on calendar.

H. R. concerning the calendar, introduced by Mr. Gregory this morning, was, on motion, taken up and adopted.

H. B. concerning the taxation of Banks and for other purposes, was taken up.

Mr. Jordan moved to amend line 5, section 2, striking out "all" and insert "no," and in line 6, section 2, to insert after the words "on hand," the words "in the possession of the producers thereof," which was not adopted.

Mr. Withers moved to strike out section 2, which did not prevail, no quorum voting.

Mr. Houston moved to lay the matter on the table, and the motion prevailed.

S. R. to raise a joint committee to treat with the Coleman Brothers for the rescinding of their contract to build the Penitentiary, was taken up and passed.

S. R. to raise a joint select committee to re-write the constitution of the State, &c., was taken up.

Mr. Wilcox moved to amend by striking out 24 and insert 5.

Mr. Brown moved to lay the resolution on the table, which did not prevail.

Mr. Dudly moved an amendment to the amendment, which did not prevail.

The question recurring on the amendment of Mr. Wilcox, it was not adopted, and the resolution was adopted.

Mr. Broadfoot, by consent, introduced a bill concerning taxation on Banks, which was read and placed on calendar.

Mr. Harris, of Guilford, by consent, reported favorably on

S. B. for the better government of the Penitentiary, and for other purposes.

S. R. in favor of George N. Lewis, sheriff of Nash, was taken up and referred to committee on finance.

The following order was announced :

House Branch of Committee to Re-write the Constitution of the State—Messrs. Ashe, Dunham, Broadfoot, Waring and Hargrove.

House Branch of Committee to treat with the Coleman Brothers on Building the Penitentiary—Messrs. Withers, Sparrow, Armstrong, Loftin and Henderson.

Committee to Arrange the Calendar—Messrs. Ashe, Chamberlain and Lyon.

On motion, the House adjourned.

MONDAY, FEBRUARY 5TH, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by Rev. Mr. Atkinson, of the city.

The Journals of Saturday were approved.

RESOLUTIONS.

By Mr. Mills : A resolution to raise a House committee for a special purpose. On the calendar.

Mr. Withers asked to be excused from special committee to treat with Coleman Brothers in relation to rescinding the Penitentiary contract.

By Mr. Mitchell: A resolution limiting debate. Read and placed on the calendar.

Leave of absence was granted Mr. Bunn for two days.

BILLS.

By Mr. McNeill: A bill in relation to indictments. Read and placed on the calendar.

A message was received from the Senate transmitting Senate amendment in a substitute to House bill to amend chapter 12, section 1, of Revised Code, entitled "Bastard Children," which was placed on the calendar;

Also, bill concerning marriages, marriage settlements, and the contracts of married women. Read and referred to judiciary committee.

CALENDAR.

S. B. providing for transfer of certain suits undisposed of by the late county courts, was taken up and passed third reading nd ordered enrolled.

S. B. to repeal chapter 227, of laws of 1869-'70, was taken up on third reading, passed and ordered enrolled.

S. B. to repeal chapter 267 of public laws of 1868-69, was taken up and passed second and third readings and ordered enrolled.

Mr. Waring asked to be excused from service on joint committee on printing. (withdrawn.)

Mr. Reid was reported absent Saturday and to-day on account of sickness.

Mr. Kelsey was also reported absent on account of sickness.

S. B. for the better government of the Pententiary, and for other purposes, was taken up on second reading.

Mr. Ashe moved to make the bill special order for to-morrow at 12 M., and the motion prevailed.

Mr. Settle, by consent, from the Committee on Claims, reported unfavorably on

Resolution in favor of Mason L. Wiggins, of Halifax; favorable on

Resolution in favor of Wm. M. Shipp, Attorney General; on

S. R. in favor of Charles H. Abrams; and on a

Resolution in favor of George N. Lewis, sheriff of Nash county

S. B. to repeal chapter 274 of laws of 1870-'71, was taken up and passed second and third readings, and ordered enrolled.

S. B. for the regulation and better protection of the Public Libraries, was taken up and failed to pass. The vote by which the bill failed, was reconsidered and consideration was postponed on Wednesday, at 11 A. M.,

Mr. McAllister, from the Committee on Engrossed Bills, reported as correctly engrossed:

H. B. 534, to be entitled an act concerning elections and registration in the year A. D. 1872, and

House amendments to Senate Bill concerning representation in the Senate, House Bill 500, Senate Bill 390.

A message was sent transmitting the same to the Senate for concurrence.

Mr. Robinson in the chair.

The special order, being Senate Bill to consolidate the school laws and to provide a system of public instruction, was taken up and, on motion, postponed to to-morrow at 11 A. M.

H. R. to raise a select committee for a special purpose was taken up and adopted.

S. B. to incorporate the Trinity Building and Loan Association, of Trinity, was taken up and passed second and third readings and ordered enrolled.

S. B. to be entitled an act relating to fees of Superior Court Clerks, was taken up and passed second reading.

Mr. Johnston, of Buncombe, moved to strike out "For taking the private examination of a married woman, &c., fifty cents," and insert, "For taking the private examination of a married woman and to execution of any deed offered for probate with certificate, twenty-five cents."

Mr. Clinard moved to lay the bill on the table, which did not prevail.

The amendment of Mr. Johnston did not prevail.

Mr. Clinard call the ayes and noes on the third reading of the bill.

Mr. Guyther moved to refer the bill to the finance committee which did not prevail.

Mr. Withers moved to strike out "fifteen cents for each person named in the subpœna," which did not prevail.

Mr. Johnston, of Buncombe, to amend by adding "for issuing commission to take depositions in any case twenty-five cents," which did not prevail.

The question recurring on the passage of the bill, the call for the ayes and noes was sustained, and the bill passed third reading.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Brooks, Broadfoot, Bryan of Jones, Buxton, Cawthorn, Carson, Chamberlain, Currie, Darden, Drake, Dudley, Dun-

ham, Ellison, Faulkner, Gambrel, Garrison, Gore, Gregory, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Houston, Johnson of Edgecombe, Jones of Caldwell, Jones of Northampton, Justice, Kelly of Davie, Kelly of Moore, Loftin, Martin, McAllister, McNeill, Morris, Morgan of Wake, Mills, Mitchell, Newsome, Powell, eRgan, Robinson, Smith of Anson, Sparrow, Stanford, Stewart, Sykes, Tucker of Iredell, Waring, Welch, Withers, Willis, Womack, Woodhouse and Young of Wake—60.

Noes—Messrs. Bean, Brown, Clinard, Dickey, Duckworth, Furr, Gatling, Gullick, Grayson, Hampton, Henderson, Hinnant Johnston of Buncombe, Jordan, Kincaid, Lassiter, Lucas, Luckey, Lyon, Marler, Maxwell, Nisson, Settle, Shull, Smith of Halifax, Wilcox, Williamson and York—28.

A bill to authorize the Treasurer to return moneys improperly collected as taxes was taken up.

Mr. Jordan moved a proviso requiring certificate of the county commissioners that the moneys have been improperly collected.

Mr. Dunham moved to amend by requiring that the certificate shall show the source from which the extra taxes paid by claimants were derived, with additional proviso that nothing in this act shall be construed to apply to taxes collected prior to the year 1869.

Mr. Settle moved that the bill be laid on the table which prevailed.

By permission, Mr. Welch, from Committee on Internal Improvements, reported favorably on Senate bill 419, to incorporate Beach Swamp and Scotland Neck Railroad.

S. B. 433, on second reading, to make Dutchman creek a lawful fence, was taken up, passed second and third readings and ordered enrolled.

Mr. Waring, by permission, introduced a bill to establish the Western Insane Asylum, at Charlotte. Referred to committee on Insane Asylums.

Mr. McNeill reported favorably on bill to prohibit the felling of trees into Upper Broad creek, and on

S. B. 414, to prevent the destruction of fish in the waters of Black river and Six Runs, in New Hanover and Sampson counties, with amendments.

S. B. 412, to incorporate the Newbern and Beaufort Canal Company, was taken up and passed second and third readings (with the amendments of committee.)

Mr. Jordan, by permission, introduced a bill concerning the taxation of farm products. Referred.

S. B. 384, a bill to restore the provisions of the Revised Code in regard to the public printing was taken up.

Mr. Broadfoot moved to table the bill, upon which

Mr. Withers called for the ayes and noes; the call was sustained and the motion did not prevail.

Ayes—Messrs. Bean, Broadfoot, Brown, Buxton, Cawthorn, Darden, Drake, Dudley, Dunham, Ellison, Faulkner, Gambrel, Garrison, Grayson, Gregory, Guyther, Harris of Franklin, Hargrove, Heaton, Henderson, Johnson of Edgecombe, Jones of Northampton, Jordan, Kelly of Davie, Loftin, Morris, Morgan, Newsome, Nisson, Page, Smith of Halifax, Sykes, Tucker of Craven, Waring Willis and Young of Wake—36.

Noes—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Carson, Chamberlain, Clinard, Crawford, Currie, Dickey, Gore, Gullick, Hampton, Harris of Guilford, Hardy, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Powell, Regan, Robinson, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Welch, Withers, Wilcox, Womack, Woodhouse and York—51.

Messages received from the Senate announcing that the Senate has refused to concur in the House amendments to bill concerning representation in the Senate, and asking Committee of Conference, and that Messrs. Whiteside, Gra-

ham, of Orange, and King were appointed Senate branch of committee. The request was concurred in, and Messrs. Gulick, Currie, Waring, Loftin and Gregory were appointed House branch of said committee;

Also, a message transmitting for concurrence Senate bill to amend an act chartering the Jamesville and Washington Railroad and Lumber Company. Read and referred to committee;

Also, a message transmitting Senate amendments to House bill requiring Clerks of Superior Courts to open their offices every Monday for the transaction of probate business;

Which were concurred in;

Senate amendments to House resolution to allow employees of the General Assembly pay for extra services; which was concurred in; also,

Senate bill to amend an act entitled an act in relation to salaries and fees of State officers, ratified February 18th, A. D. 1871. Read and referred to committee on salaries and fees.

The question recurring on the passage of Senate bill to re-enact the provisions of the Revised Code concerning public printing,

Mr. Dunham offered a substitute in the shape of a resolution.

Mr. Stanford moved to postpone further consideration of the bill to to-morrow at 1½ P. M., and the motion prevailed.

Mr. Jones, of Caldwell, moved that when the House adjourn, it do so to meet at 3½ P. M., and the motion prevailed.

On motion of Mr. Withers, the vote postponing the bill concerning public printing was re-considered, and the bill was made special order for 4 P. M.

Mr. Currie, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

An act to abolish the office of Supreme Court Reporter, and for other purposes;

An act to amend an act to charter the High Shoals Railroad Company, passed at the session of 1866, and ratified the 19th of February, 1866 ;

An act to amend chapter 85 of the Revised Code, entitled Pilots;

An act repealing chapter 104, public laws of 1868-'69 ;

An act to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete its road and extend its road to the Tennessee line ;

An act to amend an act concerning the city of Wilmington, ratified the 20th day of December, A. D. 1870, being chapter 3, private acts of 1870-'71 ;

An act to annex a part of New Hanover county to Sampson ;

An act to lay off and establish a new county by the name of Pamlico ;

An act to amend the charter of the Fayetteville and Florence Railroad ;

An act to authorize the County Commissioners of Alleghany county to levy a special tax;

An act to incorporate the Board of Trade of the City of Raleigh ;

An act to create a Board of Commissioners of Navigation for the ports of Ocracoke and Hatteras Inlets;

An act to amend an act entitled an act to pay the expenses of Idiots and Lunatics incurred by counties in certain cases, ratified the 28th of March, 1870 ;

An act to amend the charter of the Atlantic, Tennessee and Ohio Railroad Company in North Carolina, ratified the 3rd day of February, 1869 ;

An act to re-enact an act entitled an act to incorporate the Orapeake Canal and Turnpike Company, ratified 18th January, 1847 ;

An act concerning the Robeson county outlaws.

They were ratified, and the House adjourned.

EVENING SESSION.

Mr. Robinson, in the Chair.

S. B. to prevent the cutting of trees in Upper Broad Creek, Craven county, was taken up and passed second and third readings, and ordered enrolled.

Mr. Sparrow, from the Judiciary Committee, reported favorably on bill to provide for the compilation of the statues.

S. B. concerning marriages, marriage settlements and the contracts of married women, and

S. B. to amend chapter 37 of private laws, of 1870-'71.

S. B. to incorporate the Beck Swamp and Scotland Neck Railroad Company, was taken up and passed second and third readings, and ordered enrolled.

S. B. to prevent the destruction of fish in the Waters of Black River, or Six Runs, in the counties of New Hanover and Sampson, was taken up and the substitute offered by the committee was adopted and passed second and third readings, and ordered engrossed.

H. B. to prevent the extermination of patridges, was taken up.

Mr. York moved to except the county of Wilkes from the operation of the bill; which did not prevail.

No quorum voting, the motion was renewed, when

Mr. Chamberlain moved to postpone consideration of the bill indefinitely; which did not prevail.

The hour for consideration of special order having arrived,

Mr. Jones, of Caldwell, moved to postpone consideration of the special order for 5 minutes, which prevailed under a call for the ayes noes. Ayes 44; Noes 24.

Ayes—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Buxton, Cawthorn, Carson, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gambrel, Garrison, Gullick, Gregory, Guyther, Hardy, Henderson, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Kincaid, Lassiter, Loftin, Lyon, Martin, Maxwell, McCauley, Mills, Newsome, Smith of Anson, Smith

of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Welch, Willis, Womack and Woodhouse—44.

Noes—Messrs. Broadfoot, Brown, Chamberlain, Dudley, Dunham, Faulkner, Gore, Grayson, Hampton, Hargrove, Johnson of Edgecombe, Jordan, Justice, Luckey, McAllister, McNeill, Morgan, Mitchell, Page, Regan, Settle, Smith of Halifax, Withers and York—24.

Mr. Jones called the previous question which was sustained.

Mr. York's amendment did not prevail, and the bill, under a call for the ayes and noes, passed third reading. Ayes 45; Noes 31.

Ayes—Messrs. Anderson, Armstrong, Bean, Brooks, Bryan of Jones, Cawthorn, Clinard, Crawford, Currie, Darden, Dickey, Drake, Faulkner, Furr, Gambrel, Garrison, Gore, Grayson, Gregory, Guyther, Harris of Guilford, Hardy, Henderson, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Lassiter, Lucas, Luckey, Martin, Maxwell, McCauley, McNeill, Mills, Mitchell, Regan, Shull, Smith of Anson, Sparrow, Standford, Strudwick, Tucker of Iredell, Waring, Welch and Willis—45.

Noes—Messrs. Broadfoot, Brown, Buxton, Carson, Chamberlain, Dudley, Dunham, Ellison, Hampton, Hargrove, Houston, Hinnant, Johnson of Edgecombe, Jordan, Justice, Kelly of Davie, Loftin, Lyon, McAllister, Morgan, Page, Robinson, Settle, Smith of Halifax, Smith of Wayne, Tucker of Craven, Withers, Wilcox, Womack, Woodhouse, York—31.

Mr. Powell, from Committee on Engrossed Bills, reported the following bills as correctly engrossed.

H. B. 549, to be entitled an act supplemental to an act to lay off and establish the new county of Pamlico.

H. B. 464, to be entitled an act to incorporate the town of Faison, in the county of Duplin;

S. B. 493, to be entitled an act to authorize the Commissioners of the town of Washington to levy a special tax for certain purposes;

S. B. 519, an act to authorize C. C. Vest, former sheriff of Cherokee county, to collect arrears of taxes.

Mr. McAllister, from the same committee, reported as correctly engrossed :

House amendments to Senate bill 412, House bill 467, to incorporate the Newbern and Beaufort Canal Company ; and

House amendments to Senate bill 147, House bill 526, to transfer certain cases undisposed of by the late county courts.

The special order was taken up, being Senate bill to re-enact the provisions of the Revised Code concerning public printing.

The question being on the substitute offered by Mr. Dunham,

Mr. Strudwick moved that sections second and third be stricken out; which, under a call for the ayes and noes by Mr. Justice, prevailed. Ayes 53 ; Noes 32.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Chamberlain, Clinard, Crawford, Currie Dickey, Drake, Furr, Gambrel, Gatling, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Jones of Caldwell, Jordan, Kelly of Moore, Lassiter, Lucas, Luckey, Martin, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Regan, Robinson, Scott, Settle, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—53.

NOES—Messrs. Bean, Brown, Bryan of Johnston, Buxton, Cawthorn, Carson, Darden, Dudley, Dunham, Ellison, Faulkner, Garrison, Goodwin, Guyther, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Justice, Kelly of Davie, Loftin, Lyon, Morgan of Wake, Newsome, Nisson, Page, Reavis, Smith of Halifax, Tucker of Craven and Willis—32.

Mr. Johnston, of Buncombe, offered a proviso to the resolution requiring a bond from the Public Printer, which was not adopted for want of a quorum.

The motion was renewed by Mr. Welch, and the ayes and noes were called, and the proviso was adopted. Ayes 71; noes 6:

AYES—Messrs. Anderson, Atwater, Atkinson, Bean, Brooks, Brown, Bryan of Jones, Buxton, Cawthorn, Carson, Clinard, Currie, Darden, Dickey, Drake, Dudley, Ellison, Faulkner, Furr, Gambrel, Garrison, Gatling, Gullick, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jordan, Kelly of Moore, Kincaid, Lassiter, Loftin, Lucas, Lyon, Martin, Maxwell, McAllister, McCauley, Mills, Mitchell, Newsome, Nisson, Page, Phillips, Reavis, Robbins, Scott, Settle, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and York—71.

NOES—Broadfoot, Chamberlain, Crawford, Dunham, Grayson and Jones of Caldwell—6.

Mr. Page moved to strike out $10,000 and insert $20,000, which was not adopted. The question recurring on the substitute, it was not adopted.

Mr. Jordan moved to lay the bill on the table, and the motion prevailed.

H. B. to amend chapter 24 of public laws of 1865–'66 was taken up on third reading.

The substitute reported by the committee was read, when, by consent,

Mr. Phillips offered a bill to be entitled, An act to amend chapter 35, laws of 1865, entitled Work-Houses.

On motion of Mr. Jones, of Caldwell, the House adjourned.

TUESDAY, FEBRUARY 6th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. Mr. Mangum, of the city.

The journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. McCauley, from the Committee on Counties, Towns, &c., reported favorable on

H. B. to construct a road from Statesville to Wilkesboro', and on

S. R. relating to Cherokee Indians, and a substitute to

H. B. to amend the charter of the town of Henderson, in Granville county.

Mr. Stanford, from the Judiciary Committee, reported favorably on

H. B. concerning taxation on farm products.

Mr. Marler, by consent, was recorded in the negative on bill to prevent the extermination of partridges, and on the motion to table the matter in relation to public printing.

Mr. Johnson, of Edgecombe, was reported sick.

Mr. Darden, from the Committee on Finance, reported favorably on

S. R. in favor of the tax collector of McDowell county.

A message was received from the Senate transmitting for concurrence

S. B. 333, an act to confirm the sales of certain lands by the county commissioners of Wilkes belonging to certain deceased persons of said county. Referred to committee on counties, towns, &c.;

S. B. 267, a bill to amend chapter 262 of the public laws of 1870–'71. Referred to judiciary committee;

S. B. 507, a bill to amend section 7 of chapter 129, laws of 1869–'70. Referred to judiciary committee;

S. B. 479, a bill to amend subdivision 2, section 31, title 4, Code of Civil Procedure. Referred to judiciary committee;

S. B. 564, a bill supplemental to an act to raise revenue, ratified the 20th day of January, 1872. Placed on calendar;

S. R. 565 in relation to adjournment. Placed on calendar; and

Also, contract of committee with Thos. B. Bailey for the Lovjoy Academy.

Mr. Powell, from the Committee on Engrossed Bill, reported as correctly engrossed

House amendment to Senate bill to prevent the destruction of fish in the waters of Black river and Six Runs, in New Hanover and Sampson counties; and a message was sent transmitting the same to the Senate for concurrence.

H. B. concerning the taxation of banks, was taken up, passed second and third readings, and ordered engrossed.

S. B. supplemental to an act to raise revenue, ratified the 23d day of January, 1872, was taken up and passed second and third readings and ordered enrolled.

Mr. Jordan moved to reconsider the vote by which the House concurred in the Senate amendments to House bill concerning Bastard Children, to amend chapter 12, section 1 of Revised Code.

The motion prevailed, and on motion the amendments were postponed until to-morrow, at 11 A. M.

Mr. Joyner, of Johnston, was granted indefinite leave of absence.

Mr. Settle was reported absent on account of sickness.

Mr. Stewart, by consent, introduced a bill providing compensation for the Directors of the Penitentiary. Read and referred to committee on penal institutions.

H. R. limiting debate was, on motion, taken up.

Mr. Ellison moved to lay the resolution on the table.

The motion did not prevail.

Mr. Stanford moved to amend by striking out "5" and inserting "10," which was adopted.

Mr. Mitchell called the previous question.

The call was sustained, and under a call for the ayes and noes, the resolution was adopted. Ayes 58; Noes 25.

AYES—Messrs. Anderson, Armstrong, Ashe, Atwater, At-

kinson, Brooks, Broadfoot, Buxton, Carson, Chamberlain, Clinard, Currie, Darden, Dickey, Drake, Duckworth, Dunham, Furr, Garrison, Gatling, Gore, Grayson, Hampton, Harris of Guilford, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kincaid, Lassiter, Luckey, Martin, Marler, McAllister, McCauley, McNeill, Morris, Mills, Mitchell, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker of Iredell, Welch, Withers, Wilcox, Womack, Woodhouse and York—58.

Noes—Messrs. Bean, Brown, Bunn, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hargrove, Hardy, Jones of Northampton, Kelly of Moore, Morgan of Wake, Newsome, Nisson, Page, Reavis, Smith of Halifax, Sparrow, Tucker of Craven, Willis and Williamson—25.

Mr. Shull moved to reconsider the vote by which the bill to prevent the extermination of partridges passed third reading; the motion prevailed, and

On motion of Mr. Shull, the bill was laid on the table.

BILLS INTRODUCED.

Mr. Luckey, by consent, introduced a bill to amend the charter of the town of Salisbury. Read and referred to judiciary committee.

S. R. in favor of the tax collector of McDowell county was taken up, amended, on motion of Mr. Grayson, and passed second and third readings and ordered enrolled.

The unfinished business, being the adoption of substitutes to House bill to repeal chapter 34 of laws of 1865–'66, relating to usury, which was displaced after the morning hour, was, on motion, taken up and adopted.

The bill being on its third reading,

Mr. Stanford offered an amendment to insert, "shall forfeit the amount of interest," which

Mr. Harris, of Guilford, moved to lay on the table, which did not prevail.

The hour for consideration of the special order having arrived it was, on motion, postponed until the matter before the House was disposed of.

Mr. Jones, of Caldwell, offered a proviso that the provisions of the bill shall not apply to notes or contracts, or renewals of them, now in effect.

Mr. Brown moved to lay the bill on the table.

Under a call for the ayes and noes the motion to table did not prevail. Ayes, 41; Noes, 44.

YEAS—Messrs. Anderson, Atwater, Bean, Brown, Buxton, Cawthorn, Chamberiain, Clinard, Darden, Dickey, Faulkner, Fletcher, Farr, Gatling, Goodwin, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Henderson, Johnston of Buncombe, Kelly of Moore, Lassiter, Lyon, Marler, McAllister, McCauley, Nisson, Page, Powell, Robinson, Shull, Smith of Halifax, Sykes, Waring, Welch, Womack, Woodhouse and York—41.

NOES—Messrs. Armstrong, Ashe, Brooks, Broadfoot, Bryan, of Jones, Copeland, Crawford, Drake, Dudley, Dunham, Ellison, Gambrel, Gore, Gregory, Hardy, Houston, Hinnant, Jones of Caldwell, Jones of Northampton, Jordan, Kincaid, Loftin, Luckey, Martin, Maxwell, McNeill, Morris, Morgan, Mills, Mitchell, Newsome, Nicholson, Reagan, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Tucker of Craven, Withers, Willis, Wilcox and Williamson—44.

The amendment of Mr. Stanford did not prevail.

The question recurring on the proviso of Mr. Jones,

Mr. Mills moved to amend by striking out 12 per cent. in section 2, and the words "or his agent," when

Mr. Loftin called the previous question, which was sustained.

Mr. Guyther called the ayes and noes on the passage of the bill, and on the proviso of Mr. Jones, which call was not sustained, and the proviso was not adopted.

The amendment of Mr. Mills was adopted, and the bill,

under a call for the ayes and noes, which was sustained, failed to pass—ayes 28; noes 60.

AYES—Messrs. Ashe, Atkinson, Brooks, Broadfoot, Bryan of Jones, Carson, Copeland, Crawford, Currie, Drake, Dunham, Gore, Gregory, Hardy, Houston, Jones of Caldwell, Jordan, Kincaid, Loftin, Martin, Mitchell, Newsome, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Wilcox and Williamson—28.

NOES—Messrs. Anderson, Armstrong, Atwater, Bean, Brown, Bunn, Buxton, Chamberlain, Clinard, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Furr, Gambrel, Gatling, Goodwin, Gullick, Grayson, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Henderson, Hinnant, Johnston of Buncombe, Jones of Northampton, Kelly of Moore, Lassiter, Lucas, Lyon, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mills, Nicholson, Nisson, Powell, Rankin, Reavis, Regan, Robinson, Smith of Halifax, Stewart, Sykes, Tucker of Craven, Waring, Welch, Withers, Willis, Womack, Woodhouse, Young of Wake and York—60.

Mr. Dunham, by consent, introduced a bill to give to the chief officers of cities and towns the criminal jurisdiction of Justices of the Peace.

Mr. Withers, a resolution of instruction to the Public Auditor.

Mr. Kelsey was reported absent on account of sickness.

Mr. Gullick, from the Committee of Conference on Senate bill to be entitled Representation in the Senate, reported certain changes.

Mr. Shull moved to concur in the report, and called the previous question, which was sustained.

Mr. Ellison called the ayes and noes on concurrence in the report of the committee.

The call was sustained, and the report was not adopted. Ayes 38; Noes 46.

AYES—Messrs Anderson, Armstrong, Ashe, Brooks, Cham

berlain, Crawford, Currie, Darden, Dickey, Drake, Dunham, Furr, Gore, Gullick, Grayson, Hampton, Henderson, Hinnant, Johnston of Buncombe, Jones of Caldwell, Kelly of Moore, Kincaid, Lassiter, Maxwell, McAllister, McCauley, Mills, Powell, Rankin, Regan, Shull, Smith of Wayne, Stewart, Strudwick, Waring, Welch, Withers and Woodhouse—38.

Noes—Messrs. Bean, Broadfoot, Brown, Bryan of Jones, Bunn, Cawthorn, Carson, Clinard, Copeland, Dudley, Duckworth, Ellison, Faulkner, Fletcher, Gambrel, Goodwin, Guyther, Hargrove, Hardy, Houston, Jordan, Loftin, Lucas, Luckey, Lyon, Marler, McNeill, Morris, Morgan, Mitchell, Newsome, Nicholson, Nisson, Phillips, Reavis, Smith of Anson, Smith of Halifax, Sparrow, Stanford, Sykes, Tucker of Iredell, Tucker of Craven, Willis, Wilcox, Williamson and York—46.

Senate resolution in relation to adjournment was taken up, on motion of Mr. Robinson.

Mr. Brown moved to lay the resolution on the table, which did not prevail.

Mr. Robinson called the previous question, which was sustained, and, under a call for the ayes and noes by Mr. Loftin, the resolution passed. Ayes 55; Noes 23.

Ayes.—Messsrs. Armstrong, Ashe, Atwater, Brooks, Broadfoot, Cawthorn, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Garrison, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Moore, Kincaid, Lassiter, Luckey, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Powell, Rankin, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Strudwick, Tucker of Iredell, Waring, Welch, Withers and Young of Wake—55.

Noes—Messrs. Bean, Brown, Bunn, Buxton, Carson, Dudley, Duckworth, Ellison, Faulkner, Goodwin, Hargrove, Jones of Northampton, Loftin, Lyon, Marler, Morris, Morgan of Wake, Nisson, Page, Reavis, Smith of Halifax, Willis and York—23.

A message was sent to the Senate announcing that the House has refused to agree to the report of the Committee of Conference, on Senate bill concerning representation in the Senate, and asks a new Committee of Conference, and that Messrs. Wilcox, Withers, Dunham, Sykes and Kincaid were appointed House branch of said committee.

S. B. to consolidate the school laws, and to provide for a system of Public Instruction was taken up.

Mr. Ashe moved to amend line 2, section 38, printed bill, by striking out the words "1-2 of 1 per cent of the assessed value" and insert "6⅔ cents on the hundred dollars valuation," and in line 9, strike out the words "twenty-five" and insert "twenty."

Mr Waring moved to amend the amendment to striking out "6 2-3" and insert "4 2-3."

After discussion, a message were received from the Senate transmitting for concurrence:

S. B. 265, a bill to cure certain defects in the probate of deeds and the privy examination of *femes covert*, and for other purposes. Referred to committee on the judiciary;

S. B. 263, a bill concerning constables. Referred to committee on salaries and fees;

S. B. 567, a bill supplemental to an act to incorporate the Bank of Hillsboro'. Referred to committee on finance;

H. B. 253 and S. B. 256, a bill to amend sections 9, 11 and 13, chapter 139 of laws of 1870–'71, with engrossed amendments;

S. B. 16, a bill to allow the Commissioners of Warren county to levy a special tax. Calendar.

A message was also received from the Senate informing the House that the Senate had concurred in the proposition of the House to raise a committee of further conference in relation to the bill concerning representation in the Senate, and that it has designated Messrs. Gilmer, Crowell and Beasley as Senate branch of the said committee; and

A message was also received with engrossed amendments

to House bill 206, a bill to change the 10th and 11th Judicia Districts; which were concurred in.

Consideration of Senate amendments to House bill to amend sections 9, 11 and 13, chapter 139, laws of 1870–'71, was, on motion, postponed till to-morrow at 11 A. M.

Mr. Robinson, from Committee on Enrolled Bills, reported the following as correctly enrolled:

An act to prohibit the felling or cutting trees into the run of Upper Broad Creek, Craven county;

An act to repeal chapter 274 of the laws of 1870–'71;

An act to make Dutchman Creek a lawful fence to a certain extent, in the county of Davie;

An act to incorporate the Trinity Building and Loan Association of Trinity N. C.;

An act in favor of Sarah Williams;

An act to construct and establish a Turnpike road from Catawba Vale, in the county of McDowell, to Fair View in Buncombe county;

An act to repeal chapter 267, of the laws of 1868–'69;

Resolution in favor of Henry M. Miller;

Resolution in reference to printing the Constitution as it will stand when amended, according to the act recently passed; and

Resolution in favor of employees of the Senate and House of Representatives.

They were ratified, and the House adjourned.

EVENING SESSION.

The House met pursuant to adjournment, Mr. Dunham in the Chair.

On motion of Mr. Withers the unfinished business was postponed for 20 minutes,

And on motion of the same Senate bill, reported by himself favorably from the Judiciary Committee, to amend section 7,

chapter 129, laws of 1869-'70, was taken up and passed its second and third readings and ordered enrolled.

S. B. concerning marriages, marriage settlements and the contracts of married women, was taken up and made special order for to-morrow at 11 A. M.

S. B. to amend chapter 37, section 6, of private laws of 1870-'71, was taken up and passed second and third reading and ordered enrolled.

S. B. to promote the mining interest of the State, was taken up and referred to the Judiciary Committee, on motion of Mr. Sparrow.

H. R. in favor of Jno. D. Cameron, was taken up ; the amendment reported by the Committee was adopted and the resolution passed second and third readings, and ordered engrossed.

H. B. in regard to the municipal election in the town of Carthage, Moore County, was taken up.

Mr. Brown moved to lay the bill on the table, and called the ayes and noes; the call was sustained and the motion did not prevail. Ayes 7 ; Noes 57.

AYES—Messrs. Bryant of Halifax, Bunn, Dudley, Faulkner, Fletcher, Hampton and Sykes—7.

NOES—Messrs. Anderson, Armstrong, Atwater, Bean, Broadfoot, Brown, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Darden, Dunham, Gambrel, Gatling, Gore, Gullick, Gregory, Guyther, Harris of Guildford, Hargrove, Houston, Hinnant, Johnston of Buncombe, Jones of Northampton, Lassiter, Lucas, Luckey, Lyon, Martin, Mabson, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Mitchell, Newsome, Nicholson, Nisson, Rankin, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Tucker of Craven, Welch, Withers, Willis, Wilcox, Woodhouse and York—57.

Mr. Currie moved to amend by striking out "January" and inserting "May," which was adopted, and the bill passed second and third readings, and ordered engrossed.

CALENDAR.

The unfinished business was taken up and, on motion of Mr. Sparrow, made special order for 10½ A. M. to-morrow.

Mr. Nicholson, by consent, introduced a bill to empower Superior Court Judges to appoint a commissioner in certain cases for settlement of estates. Read and referred to the Judiciary Committee.

H. R. of instruction to the Public Auditor was, on motion, taken up, passed second and third readings and ordered engrossed.

H. B. to interpret section 55 of Code of Civil Procedure, was taken up and, on motion of Mr. Withers, laid on the table.

Mr. Clinard, from the Committee on Engrossed Bills, reported correctly engrossed:

H. B. concerning taxation and Banks, and a message was sent transmitting the same to the Senate for concurrence.

H. B. to authorize the Commissioners of Craven county to levy a special tax for the erection of a bridge over Trent River, was taken up and, on motion of Mr. Sparrow, laid on the table.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled.

Resolution in regard to adjournment.

H. B. to amend chapter 113, section 95, laws of 1868–'69, was taken up and, on motion of Mr. Marler, laid on the table.

S. B. to allow the Commissioners of Warren county to levy a special tax, was taken up, and Mr. Faulkner moved to lay the bill on the table; which failed for want of a quorum.

Mr. Faulkner moved to amend by submitting the same to the qualified voters of the county for ratification by the majority of the same, when the question of order was raised that the consideration of the bill was not in order, the bill having passed first reading to-day.

The question was sustained.

S. B. in relation to bills of indictments, (H. B. 558,) was taken up and failed to pass second reading.

H. B. to prevent the felling of trees in Uwharrie River, in Randolph county, was taken up and passed second and third readings and ordered engrossed.

H. B. to allow R. C. Perkins, late sheriff of Burke county, to collect arrears of taxes, was taken up and passed second reading.

H. B. to prescribe proceedings and practice in actions by creditors of deceased persons, was taken up and passed its second reading; and, without objection, was put on and passed third reading and ordered engrossed.

Mr. Stanford asked leave of absence for Mr. Darden on account of sickness in his family, which was granted.

H. B. 132, to authorize the County of Commissioners of Brunswick to issue bonds, was taken up and, on motion, laid on the table.

H. B. to change the line between the counties of Macon, Jackson and Swain, was taken up and laid on the table.

H. B. to amend chapter 93, private laws of 1870-'71, was taken up and passed second and third readings and ordered engrossed.

H. B. to allow mortgage deposit in lieu of money deposit or individual security, &c., was taken up and, on motion of Mr. York, laid on the table.

On motion, the House adjourned.

WEDNESDAY, FEBRUARY 7TH, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Prayer by the Rev. ——.

The Journal of yesterday was read and approved.

REPORTS OF COMMITTEES.

Mr. Sparrow, from the Judicairy Committee, reported favorably on

S. B. to amend section 419, chapter 1, title 19, Code of Civil Procedure; unfavorably on

S. B. to amend section 27, chapter 3, page 369, laws of 1868–'69; favorably on

S. B. to repeal chapter 13, laws of special session, 1868, ratified August 11th, 1868.

Mr. Stanford, from the Finance Committee, reported favorably on Senate bill supplemental to an act to incorporate the Bank of Hillsboro'.

Mr. Scott, from the Judiciary Committee, reported favorably on Senate bill to promote the mining interest of the State.

RESOLUTIONS.

Mr. Ashe: A resolution in reference to W. H. High, J. Q. DeCarteret and James McGowan. Referred to committee on claims.

CALENDAR.

S. B. to consolidate the school laws and to provide a system of public instruction, was taken up.

The question being on Mr. Waring's amendment to Mr. Ashe's amendment, Mr. Martin called the ayes and noes on its adoption, and it did not prevail. Ayes 17; Noes 61.

AYES—Messrs. Gambrel, Gullick, Henderson, Houston, Hinnant, Kincaid, Lassiter, Martin, Mitchell, Nicholson, Rankin, Reid, Stanford, Tucker of Iredell, Waring, Withers and York—17.

NOES—Messrs. Anderson, Armstrong, Atwater, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Cawthorn, Chamberlain, Copeland, Crawford, Currie, Darden, Dickey, Dudley, Dunham, Faulkner, Fletcher, Gatling, Goodwin, Gore, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy,

Johnston of Buncombe, Jones of Northampton, Jordan, Kelly of Davie, Loftin, Luckey, Lyon, Mabson, Marler, Maxwell, McNeill, Morris, Morgan of Wake, Newsome, Nisson, Page, Reavis, Regan, Scott, Shull, Smith of Anson, Smith of Halifax, Sparrow, Stewart, Sykes, Tucker of Craven, Welch, Willis, Woodhouse and Williamson—61.

The question recurring on Mr. Ashe's amendment, it was adopted.

Mr. Brown moved to amend section 33d by inserting after the word "which" the words "the Board of Education may prescribe," in line 5. Lost.

Mr. Grayson moved to strike out 18 and insert 15, section 25, line 6, which did not prevail; and the bill passed third reading, with amendments, and ordered engrossed. Ayes 89; Noes 1.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Copeland, Crawford, Currie, Darden, Dickey, Drake, Dudley, Duckworth, Dunham, Fletcher, Furr, Gambrel, Gatling, Goodwin, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Loftin, Lucas, Luckey, Lyon, Mabson, Marler, Maxwell, McNeill, Morris, Morgan, Mills, Mitchell, Newsome, Nicholson, Nisson, Page, Rankin, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Wilcox, Williamson and York—89.

Noes—Mr. Woodhouse—1.

Mr. Wilcox reported from the Committee of Conference on Senate bill concerning representation in the Senate.

Mr. Dunham moved to concur.

Mr. Guyther moved to postpone consideration till to-morrow at 11 A. M., and called the ayes and noes.

The call was sustained, and the motion prevailed. Ayes 45; Noes 38.

AYES—Messrs. Bean, Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Copeland, Dudley, Duckworth, Ellison, Faulkner, Goodwin, Gregory, Guyther, Harris of Guilford, Hargrove, Hardy, Henderson, Jones of Northampton, Lassiter, Loftin, Lucas, Lyon, Mabson, Marler, Morris, Morgan of Wake, Mitchell, Newsome, Nicholson, Page, Powell, Rankin, Reavis, Scott, Smith of Halifax, Sykes, Tucker of Iredell, Tucker of Craven, Waring, Willis, and Williamson—45.

NOES—Messrs. Armstrong, Ashe, Atkinson, Broadfoot, Crawford, Currie, Darden, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Luckey, Martin, Maxwell, Mills, Reid, Regan, Robinson, Shull, Smith of Wayne, Sparrow, Stanford, Strudwick, Withers, Wilcox and York—38.

S. B. for the better protection of the Public Libraries, was taken up, being special order, and passed its second reading.

Mr. Tucker offered a substitute, which was adopted and passed third reading and ordered enrolled.

S. B. to amend section 2, chapter 12, of Revised Code, entitled Bastard Children, was taken up.

The question being concurrence in the Senate amendment the House refused to concur.

Senate amendments to House bill to amend sections 9, 11 and 13, of chapter 139, laws of 1870-'71, were taken up, and the House refused to concur, and a message was sent announcing the same to the Senate.

S. B. for the better government of the Penitentiary and for other purposes, was taken up.

Mr. Sparrow moved to postpone till to-morrow at 12 M., and the motion prevailed.

S. B. to allow the Commissioners of Warren County to levy a special tax, was taken up.

Mr. Faulkner moved an amendment requiring the ratification of the act by a majority of the qualified voters of the county, and called the ayes and noes, and the call was sustained. The amendment did not prevail. Ayes 32; Noes 37.

AYES—Messrs. Bean, Bunn, Buxton, Clinard, Copeland, Crawford, Darden, Dudley, Faulkner, Fletcher, Gatling, Goodwin, Grayson, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Jones of Northampton, Kelly of Moore, Loftin, Lyon, Mabson, Marler, Morris, Morgan of Wake, Newsome, Nisson, Smith of Halifax, Tucker of Craven, Willis and Williamson—32.

NOES—Messrs. Anderson, Armstrong, Atwater, Atkinson, Brooks, Broadfoot, Drake, Duckworth, Dunham, Ellison, Furr, Gambrel, Gore, Gullick, Gregory, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Lassiter, Lucas, Martin, Maxwell, McNeill, Mitchell, Nicholson, Reid, Robinson, Scott, Shull, Sparrow, Stanford, Tucker of Iredell, Waring, Welch and Woodhouse—37.

Mr. Faulkner moved to lay the bill on the table, and called the ayes and noes.

The call was sustained, and the motion did not prevail. Ayes 27; Noes 49.

AYES—Messrs. Bean, Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Clinard, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Jones of Northampton, Marler, McNeill, Morgan of Wake, Newsome, Nisson, Smith of Halifax, Willis and Williamson—27.

NOES—Messrs. Anderson, Armstrong, Atwater, Atkinson, Broadfoot, Chamberlain, Crawford, Drake, Duckworth, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Moore, Lassiter, Loftin, Lucas, Lyon, Martin, Mabson, Maxwell, Morris, Mitchell, Nicholson,

Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Welch, Womack and Woodhouse—49.

And the bill passed second reading. Ayes 49 ; Noes 22.

Ayes—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Brooks, Broadfoot, Chamberlain, Clinard, Crawford, Dickey, Drake, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Henderson, Hinnant, Johnston of Buncombe, Jones of Caldwell, Kelly of Moore, Kincaid, Lassiter, Lucas, Luckey, Mabson, Maxwell, Morris, Mills, Mitchell, Nicholson, Phillips, Robinson, Scott, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Womack and Woodhouse—49.

Noes—Messrs. Bean, Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hargrove, Hardy, Jones of Northampton, Marler, Reavis, Smith of Halifax, Tucker of Craven, Willis and Williamson—22.

Mr. Robinson offered an amendment to the school law just passed, and asked the unanimous consent of the House for its incorporation in the bill.

Objection was heard, when Mr. Robinson moved to re-consider the vote by which the bill passed third reading, which prevailed ; when he offered his amendment to section 32, and it was not adopted.

Mr. Loftin offered a proviso to the same section, which was not adopted ; and the bill passed third reading and ordered engrossed. Ayes 88 ; Noes 0.

Ayes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Brooks, Broadfoot, Brown, Bryant of Halifax, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Copeland, Crawford, Currie, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Jones of Caldwell,

Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Kincaid, Lassiter, Loftin, Luckey, Lyon, Mabson, Marler, Maxwell, McAllister, McCauley, McNeill, Morris, Morgan of Wake, Mills, Mitchell, Newsome, Nicholson, Nisson, Page, Phillips, Powell, Rankin, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Stewart, Struwick, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Wilcox, Womack and Williamson—88.

NOES—none.

Mr. McAllister, from the Committee on Engrossed Bills, reported the following bills and resolutions as correctly engrossed:

H. B. 156, to amend chapter 93, private laws of 1870–'71;

H. B. 484, in regard to the municipal election in the town of Carthage;

H. B. 502, to prevent the felling of timber in the waters of Uwharrie River, in Randolph county;

H. R. 160, a resolution of instruction to the Public Auditor; and

H. R. 149, in favor of John D. Cameron; and a message was sent to the Senate transmitting the same for concurrence.

Mr. Gregory, by consent, introduced a bill to incorporate the Weldon and Garysburg Turnpike Company. Read and referred to committee on internal improvements.

Mr. McNeill, by consent, introduced a bill to provide for the holding of a special term of Superior Court in Robeson county. Read and referred to committee on judiciary.

Mr. Jones, of Caldwell: A bill to promote immigration. Read and referred to committee on immigration.

Mr. Robinson reported as correctly enrolled:

An act to prevent the sale of spirtuous liquors within one and a half miles of St. Paul's church, in the county of Robeson;

An act requiring clerks of Superior Courts to have their offices opend every Monday for the transaction of probate business;

An act to incorporate the New river canal company;

An act to incorporate the Charlotte Hotel Company;

An act to incorporate the town of Battleboro';

An act to aid in the completion of the Western Division of the Western North Carolina Railroad;

An act to incorporate the town of Catawba, in Catawba county;

An act to incorporate the trustees of Catawba Valley Academy, in Catawba county;

An act relating to the fees of Superior Court clerks;

An act to define and punish the crime of embezzlement;

An act to prevent the sale of spirituous liquors within one mile of the corporate limits of the town of Lenoir, in Caldwell county;

An act to authorize the formation of railroad companies and to regulate the same;

An act to amend an act entitled an act to provide for limited partnerships, ratified the — day of February, 1861;

An act to provide, in certain cases, an allowance for improvements;

An act to prevent the sale of spirituous liquors within two miles of either Ock Nock Furnace or Buck Horn iron works;

An act to authorize the county commissioners of Sampson county to levy a special tax;

An act to prevent assistant clerks from practicing as attorneys at law in the counties in which they act as deputy or assistant clerks;

An act to re-enact and continue in force an act entitled an act to empower the commissioners of Cumberland county to levy a special tax, ratified February 24th, 1870;

An act to authorize to commissioners of Greene county to levy a special tax to pay off the debt of the county;

An act to authorize the commissioners of Onslow county to levy a special tax;

An act authorizing the commissioners of Montgomery county to levy a special tax and to issue bonds;

An act to authorize E. C. Grier, late sheriff of Mecklenburg county, to collect arrears of taxes;

An act to incorporate the Hornet Fire Company, No. 1, of the city of Charlotte;

An act to incorporate the Buck Swamp and Scotland Neck Railroad Company;

An act to repeal chapter 227, laws of 1869 and 1870, entitled an act to provide for taking the depositions of witnesses in civil actions and special proceedings, in the several courts of the State;

Resolution in favor of delinquent sheriffs; and they were ratified.

Mr. Harris, by conset, reported from the majority of Committee on Penal Institutions, unfavorably on

H. B. providing compensation for directors of the Penitentiary.

Mr. Bean, introduced a bill to authorize the sheriff of Randolph county to collect arrears of taxes. Read and placed on the calendar.

S. B. to promote the mining interest, was taken up.

Mr. York moved to lay the bill on the table, which did not prevail, and the bill passed second and third readings and ordered enrolled.

Mr. Cawthorn introduced a bill, to repeal an act to incorporate the North Carolina Real and Personal Estate Agency. Read and placed on the calendar.

H. B. to lay off and establish the new county of Badger, was taken up and, on motion, laid on the table.

S. R. in favor of Charles H. Abrams was taken up and passed second and third readings and ordered enrolled.

S. B. to lay off and construct a public road from Statesville to Wilkesboro', was taken up, and passed second and third readings and ordered enrolled.

S. R. relating to the Cherokee Indians was taken up, and passed second and third readings and ordered enrolled.

S. R. in favor of George N. Lewis, sheriff of Nash, was taken up and passed second and third readings and ordered enrolled.

H. R. in favor of B. Mayfield, a citizen of Cherokee, was taken up and passed second and third readings and ordered engrossed to-day.

S. R. in favor of Mason L. Wiggins, was taken up and, on motion, indefinitely postponed.

Messages were received from the Senate transmitting for concurrence Senate amendments to House bill supplementary to an act to lay off and establish the county of Graham, which were concurred in; also,

A message transmitting the testimony before the Joint Select Committee concerning the management of the Penitentiary, with a proposition to print; also,

A message transmitting information that the Senate has asked a Committee of Conference on Senate bill 256, House bill 253, to amend sections 9, 11 and 13, chapter 139, laws of 1870-'71, and that Messrs. Gilmer, Morehead and Flythe were appointed Senate branch of said committee.

House branch of said committee, Messrs. Tucker, of Iredell, Rankin, Womack, Withers and Brooks.

Also, on Senate bill 523, House bill 278, to amend chapter 12, section 1, of Revised Code, entitled Bastard Children, and that Messrs. Dargan, Murphy and McCotter were appointed Senate branch of said committee.

House branch of said committee, Messrs. Sparrow, Atkinson, Cawthorn, Luckey and Gore.

Also, a message transmitting for concurrence:

S. R. instructing the Committee of Finance. Placed on the calendar;

S. B. in relation to the stock and interest of the State in the Western Division of the Western North Carolina Railroad. Read and referred to the committee on internal improvements;

S. B. to incorporate the town of Farmville. Read and referred to committee on corporations;

S. B. in relation to apportionment in the Senate.

Mr. Lucas moved to place the bill on the calendar.

Mr. Hinnant, from the Committee on Engrossed Bills, reported as correctly engrossed :

House amendments to Senate bill 198, House bill 508, bill to be entitled an act to consolidate the school laws, and to provide for a system of public instruction ; also,

House amendment to Senate bill 342, House bill 450, bill to be entitled an act for the regulation and better protection of the Public Libraries.

And they were, with a message, transmitted to the Senate for concurrence.

On motion, the House adjourned.

THURSDAY, February 8th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the Chair.

Prayer by Rev. Dr. Mason, of the city.

The Journal of yesterday was approved.

The unfinished business, being motion of Mr. Lucas to put Senate bill in relation to apportionment in the Senate on the calendar, it was taken up and prevailed.

S. B. in relation to marriage, marriage settlements and the contracts of married women was taken up. Pending action the chair made the following appointment:

Messrs. Mills, Guyther and Ashe as special House Committee on resolution of Mr. Mills to raise a committee for a special purpose.

Mr. Ashe moved to strike out 3d subdivision, of 35th section of bill under consideration, which prevailed.

Mr. Welch to amend, by inserting after the word " descent " the words " third generation inclusive" in section 2. Adopted.

Mr. Grayson, to section 35, insert " if the husband shall commit adultery." Adopted.

Mr. Copeland moved to strike out line 2 in section 35. Not adopted.

By consent, Mr. Clinard, from the Committee on Engrossed bills, reported as correctly engrossed :

H. B. 548, to prescribe the practice and procedure in actions, by creditors of deceased persons against their personal representatives, and

H. R. in favor of Mayfield, and a message was sent transmitting the same to the Senate for concurrence.

Mr. Ashe then offered various amendments to perfect the bill, which were adopted.

Mr. Loftin moved to refer the bill to a special committee,

Mr. Martin to lay the bill on the table, neither of which prevailed.

Mr. Ashe moved to strike out the proviso in section 35 ; withdrawn by consent, and the bill passed second reading, and on motion of Mr. Ashe, was put on third reading and made special order for 7¼ P. M.

Mr. Welch, by consent, from the Committee on Internal Improvements, reported amendments to Senate bill in relation to the stocks and interest of the State in the Western Division of Western North Carolina Railroad ; favorably on

H. B. to incorporate the Weldon and Garysburg Turnpike Company, and on

S. B. to amend an act chartering the Jamesville and Washington Railroad and Lumber Company.

Mr. Maxwell, from Committee on Salaries and Fees, reported unfavorably on

H. B. in relation to Justices of the Peace ;

S. B. an act in relation to salaries and fees of State officers, ratified 18th day of Febuary, A. D. 1871, and on

Bill entitled an act concerning Constables.

Mr. Currie, from the Committee on Corporations, reported favorably on

Bill to incorporate the Yadkin River Navigation Company.

S. B. in relation to the apportionment of the Senate, was taken up.

Mr. Lucas moved to amend, changing the relative positions of Martin and Hyde, which was adopted.

The hour for the consideration of the report of the Conference Committee on Senate bill concerning representation in the Senate arrived, which was taken up.

Mr. Tucker moved to postpone consideration for disposition of the bill before the House.

Mr. Wilcox called the previous question which was not ordered. No quorum.

The motion was renewed, and

Mr. Wilcox called the ayes and noes. The call was sustained and the question was ordered. Ayes 46; Noes 35.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Martin, Marler, McNeill, Mills, Mitchell, Powell, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Welch, Withers, Wilcox, Womack, Woodhouse and York—46.

Noes—Messrs. Bean, Brown, Brayant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Ellison, Faulkner, Fletcher, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Jones of Northampton, Loftin, Lucas, Lyon, Mabson, McAllister, McCauley, Morgan of Wake, Newsome, Nisson, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Iredell, Tucker of Craven, Willis Williamson—35.

The question recurring on the motion to postpone, it did not prevail.

The ayes and noes were called on adoption of the report, and the report was adopted. Ayes 45; Noes 39.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Martin, Marler, McAllister, McNeill, Mills,

Mitchell, Powell, Reid, Regan, Robinson, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Welch, Withers, Wilcox, Womack, Woodhouse and York—45.

Noes—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Copeland, Dudley, Ellison, Faulkner, Fletcher, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Heaton, Jones of Northampton, Loftin, Lucas, Lyon, Mabson, Maxwell, Morgan of Wake, Newsome, Nicholson, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Iredell, Tucker of Craven, Willis and Williamson—39.

A message was sent announcing the same to the Senate.

A message was received from the Senate transmitting for concurrence Senate bill to be entitled an act to divide the State into eight Congressional Districts, which was taken up for consideration, on motion of Mr. Robinson.

Mr. Guyther moved an amendment, and called the ayes and noes.

The call was sustained, and the amendment did not prevail. Ayes 31; Noes 52.

Ayes—Messrs. Bean, Brooks, Brown, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fletcher, Guyther, Harris of Guilford, Hargrove, Hardy, Heaton, Jones of Northampton, Lottin, Lyon, Mabson, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—31.

Noes—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—52.

Mr. McCauley moved to amend changing the relative positions of Robeson and Moore.

Mr. Loftin offered a substitute.

Mr. McCauley's amendment was not adopted.

The question recurring on the substitute of Mr. Loftin, he called the ayes and noes.

The call was sustained, and the substitute was not adopted. Ayes 27; Noes 53.

AYES—Messrs. Brooks, Bryant of Halifax, Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Ellison, Faulkner, Fletcher, Guyther, Hargrove, Hardy, Heaton, Jones of Northampton, Loftin, Lyon, Morgan of Wake, Newsome, Nisson, Page, Phillips, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—27.

NOES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Broadfoot, Brown, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Waring, Welch, Wilcox, Womack and Woodhouse—53.

A message was received from the Senate transmitting the following bills and resolutions:

S. B. 571, a bill for the better protection of oysters and terrapins. Referred to committee on propositions and grievances;

S. B. 589, a bill to amend chapter 137 of laws of 1869–'70. Referred to judiciary committee;

S. B. 473, a bill to incorporate the Cyrenean Company of the City of Wilmington. (Corporations);

S. B. 539, a bill appointing a weigher of cotton and inspector of salt fish for the city of Raleigh. Referred to committee on counties and towns;

S. B. 588, a bill to provide for the creation of certain trust estate. (Judiciary) ;

S. B. 442, a bill to amend the laws of evidence ;

S. B. 563, a bill to amend chapter ——, section 4, of public laws of 1870–'71. Referred to judiciary committee ;

S. B. in favor of certain sheriffs. Referred to finance committee ;

S. R. 574, inviting immigration to North Carolina. Referred to committee on immigration ;

And announcing that the Senate had concurred in House amendments to Senate bill 409, to amend an act to encourage the planting of oysters and clams, chapter 33, acts of Assembly of 1858–'59.

The question being on second reading of Senate bill to divide the State into eight Congressional Districts, the ayes and noes were called, and the bill passed second reading. Ayes 53; Noes 22.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Broadfoot, Brown, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelsey, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Tucker of Iredell, Welch, Withers, Wilcox, Womack, Woodhouse and Williamson—53.

NOES—Messrs. Brayant of Halifax, Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Faulkner, Fletcher, Hargrove, Heaton, Jones of Northampton, Loftin, Lyon, Mabson, Morgan of Wake, Nisson, Page, Phillips, Smith of Halifax, Sykes, Tucker of Craven and Willis—22.

Mr. Robinson moved to suspend the rules to put the bill on third reading, which prevailed.

Mr. Brown moved to take Forsythe from the 5th to put it

in the 6th District, which did not, under a call for the ayes and noes, prevail. Ayes 29; Noes 52.

AYES—Messrs. Bean, Brooks, Brown, Brayant of Halifax, Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Ellison, Fletcher, Guyther, Hargrove, Hardy, Heaton, Jones of Northampton, Loftin, Lyon, Morgan of Wake, Newsome, Nisson, Page, Phillips, Reavis, Smith of Halifax, Sykes, Tucker of Craven, Willis and Williamson—29.

NOES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Chamberlain, Clinard, Currie, Drake, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Luckey, Martin, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack and Woodhouse—52.

When, under a call for the ayes and noes, the bill passed third reading. Ayes 56; Noes 29.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Broadfoot, Brown, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—56.

NOES—Messrs. Brooks, Brayant of Halifax, Bryan of Jones, Bunn, Buxton, Cawthorn, Copeland, Dudley, Ellison, Faulkner, Fletcher, Guyther, Hargrove Hardy, Heaton, Jones of Northampton, Loftin, Lucas, Lyon, Mabson, Morgan of Wake, Newsome, Nisson, Page, Reavis, Smith of Halifax, Sykes, Tucker of Craven and Willis—29.

Mr. Loftin, from the Committee on Education, reported unfavorably on

H. B. 163, to repeal sub-division 3, section 36, of the school laws of 1869; unfavorably on

H. B. 187, to allow school committees pay for their services; and unfavorably on

H. B. 476, creating the office of Associate Superintendent of Public Instruction.

Mr. Sparrow, from the Committee on Judiciary, reported:

H. B. to amend chapter 262, of the public laws of 1870–'71; and on

H. B. 571, to give to the chief officer of cities and towns the criminal jurisdiction of Justices of the Peace; and unfavorably on

H. B. 570, to amend the charter of the town of Salisbury;

H. B. 576, to empower the Superior Court Judges, to appoint a Commissioner in certain cases for the settlement of estates; and on

H. B. a bill to cure certain defects in the Probate of Deeds and the privy examination of *femes covert*, and for other purposes.

Mr. Ashe introduced a resolution to instruct the Keeper of the Capitol to provide for the better protection of the Capitol by the erection of new or additional lightning rods. Referred to committee on propositions and greviances.

When, on motion of Mr. Loftin, the bill to protect the property and revenues of the University was taken up.

The — section was, on motion of Mr. Phillips, stricken out.

1st. section, on motion of Mr. Sparrow, was amended and, on motion of Mr. Phillips, the bill was referred to the committee on education.

Mr. McNeill, from the Committee on Propositions and Greviances, reported unfavorably on resolution to protect the capitol from lightning; favorably on

Bill for the better protection of oysters and terrapins, in the waters of North Carolina.

Mr. Luckey, from Committee on Insane Asylum, reported

asking discharge from further consideration of House bill to establish the Western North Carolina Insane Asylum at Charlotte.

The Calendar was resumed, and

H. B. to be entitled an act concerning constables, was taken up and failed to pass for want of a quorum.

S B. in relation to the stock and interest of the State in the Western Division of Western North Carolina Railroad, was taken up. The amendments reported by the Committee were adopted.

Mr. Johnston, of Buncombe, called the ayes and noes on the passage of the bill. The call was sustained.

Mr. Page moved to adjourn, and the motion prevailed.

EVENING SESSION.

The House met pursuant to adjournment, Mr. Speaker Jarvis in the chair.

The unfinished business was, on motion of Mr. Welch, postponed until to morrow at 10½ A. M.

H. B. to authorize the levy of a special tax in Henderson county, was taken up and passed second reading. Ayes 63; Noes 5.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Bean, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Copeland, Crawford, Currie, Drake, Dunham, Faulkner, Fletcher, Furr, Goodwin, Gullick, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Lassiter, Lucas, Luckey, Lyon, Mabson, Maxwell, McAllister, McCauley, Mills, Mitchell, Newsome, Nicholson, Nisson, Powell, Reavis, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and York—63.

Noes—Messrs. Brown, Dudley, Ellison, Martin and Marler—5.

H. B. to prevent the sale of spirituous liquors within the corporate limits of the town of Hendersonville, was taken up, the substitute reported by the committee was adopted, and passed second and third readings and ordered engrossed.

S. B. to prevent the destruction of oysters and terrapins in the waters of North Carolina, was taken up.

Mr. Martin moved to amend the bill by inserting "outside of the State," in a certain line, and a proviso "that this shall not apply to Carteret county."

The motion to amend did not prevail, and the bill passed second reading.

A message was received from the Senate announcing that the Senate has amended the amendments of the House to Senate bill concerning representation in the Senate.

Mr. Robinson moved that the House concur in the Senate amendments.

Messrs. Copeland, Harris, of Guilford, Ellison and Guyther offered amendments which were not in order, and the previous question was called.

Mr. Dudley called the ayes and noes, and the main question was ordered. Ayes 51; Noes 17.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Fletcher, Furr, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Read, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—51.

Noes—Messrs. Bean, Brown, Bryan of Jones, Buxton, Cawthorn, Copeland, Faulkner, Goodwin, Guyther, Harris of Guilford, Hargrove, Jones of Northampton, Loftin, Newsome, Page, Phillips and Williamson—17.

The question recurring on the motion to concur, Mr. Dudley called the ayes and noes.

The call was sustained, and the motion prevailed. Ayes 50; Noes 16.

AYES—Messrs. Armstrong, Atwater, Atkinson, Broadfoot, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—50.

NOES—Messrs. Bean, Brown, Bryan of Jones, Buxton, Cawthorn, Dudley, Ellison, Faulkner, Goodwin, Guyther, Harris of Guilford, Hargrove, Loftin, Page, Phillips and Williamson—16; Messrs. Brown, Dudley, Goodwin and Hargrove refusing to vote until required by the House.

The bill was ordered enrolled.

A message was received from the Senate transmitting for concurrence of the Hoose Senate resolution to rescind joint resolution to adjourn *sine die* on Monday, February 12th, 1872. Read and placed on the calendar; also,

S. B. to amend chapter 113, section 66, of public laws of 1868–'69. Read and referred to the judiciary committee;

S. B. to be entitled an act to establish the rates of Public Printing, and for other purposes. Read and placed on the calendar; and

Senate amendments to House bill to be entitled an act concerning elections and registration in the year of our Lord 1872; also,

A message transmitting the report of Committee of Conference on House bill to amend sections 9, 11 and 13, chapter 139, laws of 1870–'71; which report was concurred in.

Mr. Robinson moved to suspend the rules in order to con-

sider Senate resolution to rescind resolution to adjourn *sine die* on Monday, Feb. 12th, 1872.

Mr. Dudley called the ayes and noes on the motion; the call was sustained and the rules were suspended. Ayes 50; Noes 15.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Broadfoot, Cawthorn, Chamberlain, Clinard, Drake, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Harris of Guilford, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers. Wilcox, Womack, Woodhouse, Williamson and York—50.

Noes—Messrs. Bean, Bryan of Jones, Copeland, Dudley, Ellison, Fletcher, Guyther, Hargrove, Jones of Northampton, Loftin, Nisson, Page, Phillips, Tucker of Craven and Willis—15.

Mr. Welch, moved a call of the House; the motion prevailed and 73 members answered to their names, to wit:

Messrs Armstrong, Atwater, Atkinson, Bean, Broadfoot, Brown, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Copeland, Crawford, Currie, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Goodwin, Gore, Gullick, Gregory, Guyther, Hampton, Harris of Guilford, Hargrove, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jones of Northampton, Jordan, Kelly of Davie, Lassiter, Loftin, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Nisson, Page, Phillips, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and York—73.

Mr. Tucker, of Craven, moved to table the resolution under consideration, and called the ayes and noes; the call was sustained and the motion did not prevail. Ayes 19; Noes 51.

Ayes—Messrs. Bean, Brown, Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Ellison, Faulkner, Hargrove, Jones of Northampton, Loftin, Marler, Nisson, Page, Phillips, Tucker of Craven, Willis and Williamson—19.

Noes—Messrs. Armstrong, Atwater, Atkinson, Broadfoot, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Gregory, Guyther, Hampton, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Martin, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Womack, Woodhouse and York—51.

Mr. Dudley moved to postpone consideration of the resolution indefinitely, and called the ayes and noes on his motion. The call was sustained and the motion did not prevail. Ayes 19; Noes 50.

Ayes—Messrs. Bean, Brown, Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hargrove, Loftin, Newsome, Nisson, Page, Phillips and Willis—19.

Noes—Messrs. Armstrong, Atwater, Atkinson, Broadfoot, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Henderson, Houston, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse, Williamson and York—50.

The question recurring on the adoption of the resolution, Mr. Hargrove called the ayes and noes. The call was sustained and the resolution was adopted. Ayes 48; Noes 21.

Ayes—Messrs. Armstrong, Atwater, Atkinson, Broadfoot, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gore, Gullick, Gregory, Henderson, Houston,

Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Robinson, Scott, Shull, Smith of Anson, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack, Woodhouse and York—48.

Noes—Messrs. Bean, Brown, Bryan of Jones, Bunn, Buxton, Copeland, Dudley, Ellison, Faulkner, Fletcher, Goodwin, Guyther, Hargrove, Jones of Northampton, Lottin, Marler, Newsom, Nisson, Phillips, Tucker of Craven, and Willis—21.

By consent, Mr. Jones, of Caldwell, from the Committee on Claims, reported favorably on

H. R. in favor of W. H. High, J. Q. DeCarteret, &c.

Leaves of absence were granted Messrs. Williamson and Fletcher until to-morrow at 10, A. M.

Mr. Settle was reported absent on account of sickness, and Mr. Robbins was granted leave of absence on account of sickness until Monday next.

Mr. Lucas, by consent, introduced a resolution in favor of the Principal and Assistant Clerks of the General Assembly, which,

On motion of Mr. Phillips, was considered, passed 2nd and third readings, and ordered engrossed.

Mr. Dunham, by consent, introduced a bill for the relief of certain tax-payers in Wilson county. Read, and by consent, placed on the calendar; also,

A bill for the relief of W. D. Owens and Seth H. Tyson, which was read, and by consent, placed on the calendar.

On motion of Mr. Phillips, House bill to amend the Charter of the City of Raleigh, was taken up, passed 2nd and 3rd readings and ordered engrossed.

On motion of the same, House bill to make indictable the felling of trees in Neuse River was considered, passed second and third readings and ordered engrossed.

Mr. Robinson moved that the House consider and concur in Senate amendments to House bill concerning election and reg-

istration in the year of our Lord 1872. The amendments were considered and amended, on motion of Messrs. Marler, Powell, and Stanford, by correcting the location of the places for comparison of the polls, and as amended the Senate amendments were concurred in.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled

An act to change the time of holding the Superior Courts in the 10th and 11th Judicial Districts;

An act to prohibit the sale of intoxicating liquors within the town of Swansboro', or within six miles thereof, in the county of Onslow;

An act to amend chapter 37, section 4, private laws of 1870–'71;

An act to authorize the Commissioners of Franklin county to convey to the trustees of Trinity Church certain lands;

An act to amend and extend the arter of Cape Fear Lodge, No. 2, I. O. O. F. of Wilmington;

An act to change the time of the annual meeting of the Board of Directors of the Insane Asylum;

An act to incorporate the town of Lillington in the county of Harnett;

An act to legalize the acts of certain county officers of Macon and Jackson counties, pending the organization of Swain county;

An act to amend section 7, chapter 129, laws of 1869–'70;

An act to change the line between Cherokee and Swain counties, near the residence of Jefferson George;

An act to legalize the sale of certain lands in the town of Asheville;

An act to lay out and construct a road from Jefferson to the mouth of Phœnix Creek, in Ashe county;

An act to prevent the destruction of fish in the waters of Black River and Six Runs, in the counties of New Hanover, Sampson, Cumberland and Harnett;

An act to amend an act entitled an act to authorize the

Albemarle Swamp Land Company to construct a Railroad from Pantego to Indian River, in Beaufort county ;

An act to lay off and establish a public road from Statesville, in Iredell county, to Wilkesboro' ;

An act to authorize the construction of a Toll Bridge across the Cape Fear River at Lillington, Harnett county ;

An act to incorporate the Trustees of Pisgah Academy, in Gaston county;

An act to incorporate the Hilton Camp Ground, in Ashe county ;

An act to incorporate Stonewall Lodge, No. 1 Knights of Pythias of North Craolina;

An act to transfer certain cases left undisposed of by the late county courts ;

An act to incorporate the Farmers' Savings Bank, of Charlotte, North Carolina ;

An act to incorporate Hanks Lodge, No. 128, in the town of Franklinsville, Randoplh county ;

An act to incorporate the Clarendon Military Academy, in Cumberland county ;

An act to promote the mining interests of the State ;

An act to incorporate the Cumberland County Agricultural Society ;

An act supplementary to an act entitled an act to raise revenue, ratified January 25th, A. D. 1872 ;

Resolution in favor of Daniel Latta ;

Resolution in favor of J. W. Cooper ;

Resolution in favor of John H. Hill ;

Resolution in favor of D. C. Dudley and others ;

Resolution in favor of George N. Lewis, Sheriff of Nash ;

Resolution in favor of the Tax Collector of McDowell county ;

Resolution in relation to the Cherokee Indians of North Carolina ;

Resolution in favor of J. S. Summerset and others ;

Resolution of request to members of Congress ;

Resolution in favor of Thos. S. Siler and J. M. Lyle, executors of Jacob Siler, dec'd, late agent of the State for the collection of Cherokee bonds;

An act for the relief of Express Companies;

An act to incorporate the Raleigh and Fayetteville Railroad Company;

An act to incorporate the Newbern and Beaufort Canal Company;

An act concerning the taxation of Banks;

An act for the better regulation and protection of the public Libraries; and the same were ratified.

On motion, the House adjourned.

FRIDAY, FEBRUARY 9th, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

The Journal of yesterday was read and approved.

Mr. Settle was reported absent on account of sickness.

Messrs. Kelsey, Grayson and Hinnant absent on account of sickness at last evening session.

Messrs. Kelsey and Brooks were absent on account of sickness.

REPORTS OF COMMITTEES.

Mr. Broadfoot, from the Committee on Corporations, reported favorably on

S. B. 470, to incorporate the Cyrenean Company of the City of Wilmington; and on

S. B. 572, to incorporate the town of Farmville, Pitt county; and unfavorably on

S. B. 516, a bill supplemental to an act to incorporate Dawson Bank; and on

H. B. 221, a bill to amend the charter of the town of Rockingham.

Mr. Sparrow, from the Committee on the Judicairy, reported favorably on

S. B. 539, a bill to amend chapter 137, laws of 1869–'70; and

S. B. 563, a bill to amend chapter 81, section 11. of public laws of 1870–'71.

Mr. Ashe, from the Finance Committee, reported on

S. B. 518, a bill in favor of certain Sheriffs, and recommended that it be referred to the judiciary committee.

Mr. Stanford, from the Committee on Finance, reported on

H. B. 489, in relation to the salary of the Governor of North Carolina, with a recommendation that the salary of the Governor be four thousand dollars, and that of the Treasurer be two thousand dollars.

Mr. Powell, from the Committee on Engrossed bills, reported the following amendments to

S. B. 534 H. B. 561, a bill to be entitled an act concerning election and registration in the State as correctly engrossed, to-wit:

In 10th Senatorial district strike out "Duplin" and insert "Wayne;"

In 33rd district strikeout "Yadkinville" and insert "Surry" and strike out "in the county of Yadkin;"

In 26th district strike out "Montgomery" and insert "Richmond;"

In 29th district strike out "White's Store" and insert "Lanesboro";

H. B. 109 to amend the Charter of the City of Raleigh, and

H. B. 442 a bill making indictable the felling of trees in Neuse River, as correctly engrossed; also as correctly engrossed

H. B. 294 a bill to prevent the sale of spirituous liquors in the town of Hendersonville in the county of Henderson.

RESOLUTIONS.

By Mr. Broadfoot, a resolution in favor of Edward S. Badger. Read and placed on the calendar.

CALENDAR.

The unfiished business, being Senate bill in relation to the stock and interest of the State in the Western Division of the Western North Carolina Railroad, was taken up, the question being a motion of Mr. Johnston, of Buncombe, to call the ayes and noes on the second reading of the bill.

Mr. Johnston, of Buncombe, moved to amend by striking out the names of the Commissioners and insert the Directors of the Western Division of the Western North Carolina Rail Road. Also strike out all after the words "acquire" in 2nd section, which did not prevail. Also to insert that the Commissioners shall receive no pay; not adopted. Also that money obtained from sales shall be appropriated to road west of Asheville; not adopted.

The question recurring on the passage of the bill, the call for the ayes and noes was sustained and the bill failed to pass. Ayes 18; Noes 52.

Ayes—Messrs. Armstrong, Ashe, Drake, Dunham, Johnston of Buncombe, Luckey, Martin, Maxwell, Mills, Mitchell, Nicholson, Powell, Smith of Anson, Smith of Wayne, Stanford, Tucker of Iredell, Withers and Wilcox—18.

Nays—Messrs. Atwater, Atkinson, Bean, Broadfoot, Bryan of Jones, Chamberlain, Clinard, Copeland, Dudley, Ellison, Faulkner, Fletcher, Furr, Goodwin, Gore, Gullick, Grayson, Gregory, Guyther, Hampton, Hargrove, Hardy, Henderson, Houston, Hinnant, Johnson of Edgecombe, Jones of Northampton, Jordan, Kelly of Davie, Lyon, Mabson, Marler, McCauley, McNeill, Newsom, Nisson, Page, Phillips, Reavis, Reid, Regan, Robinson, Scott, Shull, Smith of Halifax, Stew-

art, Tucker of Craven, Welch, Willis, Woodhouse, Williamson and York—52.

Mr. Jordan moved to take up the report and evidence of the committee to investigate the management of the Penitentiary.

The motion being on the proposition of the Senate to print, it was, under a call for the ayes and noes, concurred in. Ayes 72; Noes 5.

AYES—Messrs. Armstrong, Ashe, Atkinson, Bean, Bryan of Jones, Bunn, Buxton, Cawthorn, Chamberlain, Clinard, Copeland, Crawford, Drake, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Gambrel, Goodwin, Gore, Gullick, Grayson, Gregory, Hampton, Harris of Guilford, Hargrove, Hardy, Henderson, Hinnant, Johnston of Buncombe, Johnson of Edgecombe, Jones of Northampton, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lottin, Lucas, Luckey, Martin, Mabson, Marler, Maxwell, McCauley, McNeill, Mills, Mitchell, Newsome, Nicholson, Nisson, Page, Powell, Reavis, Reid, Robinson, Scott, Smith of Anson, Smith of Halifax, Smith of Wayne, Sparrow, Stanford, Tucker of Iredell, Tucker of Craven, Welch, Withers, Willis, Wilcox, Womack, Woodhouse and York—72.

NOES—Messrs. Broadfoot, McAllister, Shull, Stewart and Waring—5.

Mr. Waring, from the Committee on Printing, reported favorably on

S. B. concerning Public Printing, and asked discharge from further duty on the committee; which was granted.

S. R. in favor of Wm. M. Shipp, Attorney General, was taken up and passed second and third readings and ordered enrolled.

S. B. to prevent the destruction of oysters and terrapins in the waters of North Carolina, on third reading, was taken up.

Mr. Martin moved a proviso, which was adopted.

Mr. Tucker, of Craven, moved to strike out "$50" and insert "$10," which did not prevail.

Mr. Dudley moved to amend by "excepting the county of Craven from the operation of the bill," which did not prevail; and, under a call for the ayes and noes, the bill passed. Ayes 47; Noes 21.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Clinard, Currie, Drake, Dunham, Gambrel, Gore, Grayson, Gregory, Henderson, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Womack and York—47.

NOES—Messrs. Bean, Bryant of Halifax, Bunn, Chamberlain, Copeland, Dudley, Faulkner, Goodwin, Harris of Franklin, Hargrove, Hardy, Johnson of Edgecombe, Jones of Northampton, Loftin, Lyon, Nisson, Page, Reavis, Smith of Halifax, Tucker of Craven and Willis—21.

Mr. McAllister moved that when the House adjourn, it do so to meet at 3:30 P. M., and the motion prevailed.

S. B. to incorporate the Yadkin River Navigation Company, was taken up and passed second and third readings and ordered enrolled.

S. B. to establish the rates of printing, and for other purposes, was, on motion of Mr. Ashe, taken up.

Mr. Dudley moved to amend, striking out "$5,000" and inserting "$10,000," which did not prevail; and the bill failed to pass second reading for want of a quorum.

Mr. Ashe renewed the motion, and called the ayes and noes.

The call was sustained and the bill passed second reading. Ayes 49; Noes 33.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Dickey, Drake, Furr, Gambrel, Gore, Grayson, Gregory, Hampton, Harris of

Franklin, Henderson, Houston, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Luckey, Maxwell, McAllister, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Withers, Wilcox, Womack and Woodhouse—49.

Noes—Messrs. Bean, Broadfoot, Brown, Bryan of Jones, Bunn, Copeland, Dudley, Dunham, Ellison, Faulkner, Fletcher, Goodwin, Gullick, Guyther, Hargrove, Hardy, Hinnant, Jones of Northampton, Loftin, Lucas, Lyon, Mabson, Marler, Newsome, Nisson, Page, Reavis, Smith of Halifax, Tucker of Craven, Willis, Williamson and York—33.

Mr. Robinson, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

An act supplemental to an act passed at the present session of the General Assembly, entitled an act to lay off and establish a new county by the name of Graham;

An act to amend an act to promote and encourage the planting of oysters and clams, chapter 33, acts of 1858–'59;

An act to divide North Carolina into eight Congressional Districts;

An act to incorporate the town of Franklin;

An act to incorporate the Little Coharie Draining Company;

An act supplemental to and amendatory of an act ratified — day of January, 1872, entitled an act to incorporate the Bank of the State;

An act to amend section 131 of the Code of Civil Procedure;

An act to lay out and construct a public road from Phillip's Gap, on the Blue Ridge, to Hamilton's Mills, in Ashe county;

An act to incorporate the Neptune Fire Company, in the town of Wilmington;

An act supplemental to an act entitled an act to annex a portion of Macon county to Clay county;

An act to incorporate the Oak Grove Camp Ground, in the county of Transylvania;

An act to amend section 2, chapter 66, of public laws of 1869-'70;

Resolution in favor of Charles H. Abrams, for services as watchman of the Capitol; and they were ratified.

S. B. on third reading, to authorize the Commissioners of Warren county to levy a special tax, was taken up and passed. Ayes 50; Noes 14.

AYES—Messrs. Armstrong, Ashe, Atwater, Atkinson, Bean, Broadfoot, Clinard, Currie, Drake, Dunham, Furr, Gambrel, Gore, Gullick, Grayson, Hardy, Henderson, Houston, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Mabson, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Phillips, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Welch, Withers, Womack and Woodhouse—50.

NAYS—Messrs. Bunn, Cawthorn, Copeland, Dudley, Faulkner, Guyther, Hargrove, Johnson of Edgecombe, Loftin, Martin, Marler, Smith of Halifax, Tucker of Craven and Williamson—14.

Mr. Crawford introduced a resolution concerning the sale of the Eastern Division of the Western North Carolina Railroad which was read, and on motion of Mr. Crawford, considered and passed second and third readings and ordered transmitted to the Senate to-day.

S. B. to incorporate the Cyrenean Company of Wilmington, was taken up and passed second and third readings and ordered enrolled.

S. B. to amend section 4, chapter 262 of laws of 1860-'61, was taken up and passed second and third readings and ordered enrolled.

S. B. to be entitled an act supplementary to an act to incorporate the Bank of Hillsboro', was taken up and passed second and third readings and ordered enrolled.

Mr. Ashe moved to suspend the rules to put the bill in

regard to public printing on its third reading; the motion did not prevail.

A message was received from the Senate transmitting for concurrence Senate bill 538, (H. B. 490,) to amend chapter 10, section 1, of Revised Code, concerning auctions and auctioneer; concurred in.

S. B. 590, to create a Special Commission; calendar.

S. B. 597, a bill granting power to Trustees of Franklin township, in Sampson county; calendar.

And a message transmitting Senate bill, 598, to raise a commission to examine into the accounts of the Public Treasurer; adopted.

S. R. 581, authorizing the Treasurer and Attorney General to employ aid. Referred to committtee on finance.

S. R. 580, resolution authorizing the publication of the report of the State Geologist; adopted.

S. B. 594, a bill to prevent fraud in the sale of commercial manures. Referred to committee on agriculture.

A message was also received informing the House that the Senate refused to concur in the report of the committee of conference in relation to

H. B. 278, a bill to amend section 1, chapter 12, of the Revised Code, entitled bastard children, and asking a further committee of conference be appointed, and that Messrs. McClammy, Robbins of Davidson and Moore from the Senate branch of said Committee.

The House agreed to the proposition of the Senate, and a message was sent to that body informing it that the House had so agreed, and had appointed as the House branch the same gentlemen who had composed the former committee.

Mr. Smith, of Wayne, from the Committee on Engrossed Bills, reported the following engrossed amendments to Senate bill 571, (H. B. 586), bill for the better protection of oysters and terrapins in the waters of North Carolina, as correctly engrossed:

In section 2d, insert the word "salt" before the word "water;" and also,

Provided, That nothing in the act shall be construed to apply to those who catch oysters and clams to supply the local demand in the town of Beaufort and Morehead City.

Mr. Crawford, from the same committee, as correctly engrossed:

H. R. in relation to the sale of the Eastern Division of the Western North Carolina Railroad, and a message was sent transmitting the same to the Senate for concurrence.

S. B. to provide for the creation of certain trusts in estates, was taken up and passed second and third readings and ordered enrolled.

S. B. to provide for the better government of the Penitentiary, and for other purposes, was taken up.

Mr. Ashe moved to substitute in line 8, section 9, "60" for "40," which was adopted; also, change "engineer" for "architect" in line 2, section 2, which was adopted.

Mr. Phillips moved to strike out section 8.

Mr. Sparrow, to amend sections 8 and 2, which prevailed.

Mr. Stanford moved an amendment to section 8, "excepting those convicted of murder, manslaughter, rape or attempts to commit rape or arson;" which was adopted

Mr. Withers moved, by consent, that the Senate bill in relation to marriage, marriage contracts, and the rights of married women, be taken up and made special order for 4 P. M.; and the motion prevailed.

Mr. Houston, by consent, introduced a bill supplemental to a bill to incorporate the town of Catawba, in Catawba county.

Leave of absence was granted to Mr. Ashe on account of sickness in his family.

Mr. Shull moved to adjourn, and the motion prevailed.

AFTERNOON SESSION.

The House met pursuant to adjournment, Mr. Speaker Jarvis in the Chair.

BILLS.

H. B. to incorporate the town of Farmville was taken up, (the unfinished business being, on motion of Mr. Dunham, postponed for thirty minutes.)

The bill passed second and third readings and ordered engrossed.

H. B. for the relief of N. B. Owens and Seth H. Tyson, was taken up and passed second and third readings and ordered engrossed.

H. B. for the relief of certain tax payers of Wilson county, was taken up and passed second and third readings and ordered engrossed.

S. B. to amend sub-division 2, section 31, title 4, code of civil procedure, was taken up and recommitted to the judiciary committee.

H. B. supplemental to an act to charter the town of Catawba, in Catawba county, was taken up and passed second and third readings and ordered engrossed.

H. B. to incorporate the Henderson Savings and Loan Association, was taken up and passed second and third readings and ordered engrossed.

S. B. to amend chapter 81, section 4, of public laws of 1870–'71, was taken up and failed to pass second reading.

H. B. to empower the Superior Court Judges to appoint a commissioner in certain cases for the settlement of estates, was taken up and passed second and third readings and ordered engrossed.

S. B. to amend an act chartering the Jamesville and Washington Railroad, was taken up and,

On motion of Mr. Sparrow, the 2nd section was stricken

out and the bill passed second and third readings and amendment ordered engrossed.

Mr. Broadfoot, from Committee on the Judiciary, reported favorably on

S. B. to amend sub-division 2, section 31, title 4, Code of Civil Procedure.

S. B. granting powers to the Board of Trustees of Franklin Township, Sampson county, was taken up and passed second and third readings and ordered enrolled.

H. B. giving chief officers of cities and towns the powers of Justices of the Peace, was taken up and passed second reading; and amended, on motion of Mr. Dunham, and passed third reading and ordered engrossed.

H. B. to allow the Sheriff of Randolph to collect arrears of taxes, was taken up.

Mr. Johnston, of Buncombe, moved to lay teh bill on the table, which did not prevail; and the bill passed second and third readings and ordered engrossed.

The unfinished business was taken up,

S. B. for the better government of the Penitentiary, &c.

The question being on the amendment of Mr. Phillips, it was not adopted.

Mr. Sparrow moved to strike out the 10 section, upon which motion, Mr. Bunn called the ayes and noes.

By leave Mr. Sparrow withdrew his amendment.

Mr. Johnston, of Buncombe, offered the following amendment: that so much of the act of April, 1871, as creates the office of directors of the Penitentiary be abolished; that the duties of the Board of Trustees be imposed upon the Board of Managers, with all the powers exercised by said Board of Directors, and said Board of Managers shall go into office on the first Wednesday in March, 1872, and hold office until the 1st day of January, 1873; that ——— of Wake, ——— of Wake, and ——— of Wake be appointed the Board of Managers of the Penitentiary; that on the first Wednesday in March, the Board

of Directors shall turn over to the Board of Managers all property, money, papers, &c., pertaining to said Penitentiary, with the contract thereof; upon the adoption of which amendment, Mr. Welch called for the ayes and noes.

Mr. Ashe, called the previous question on the passage of the bill, the call was ordered and the call for the ayes and noes was sustained on the amendment, and the amendment was adopted—Ayes 42; Noes 38.

Ayes—Messrs. Armstrong, Atkinson, Bean, Brown, Bunn, Buxton, Chamberlain, Copeland, Dudley, Dunham, Ellison, Faulkner, Fletcher, Furr, Goodwin, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Jordan, Kelly of Davie, Loftin, Luckey, Martin, Mabson, Marler, Nicholson, Nisson, Page, Phillips, Robinson, Smith of Halifax, Sparrow, Sykes, Tucker of Craven, Willis, Woodhouse and Williamson—42.

Noes—Messrs. Ashe, Atwater, Broadfoot, Clinard, Currie, Drake, Gambrel, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Houston, Hinnant, Lassiter, Lucas, Maxwell, McAllister, McCauley, McNeill, Mitchell, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack and York—38.

The bill was put on its second reading and passed.

Mr. Robinson moved when the House adjourned it adjourn to half-past seven P. M. Adopted.

Mr. Robinson moved the bill be put on third reading and the motion prevailed.

Mr. Page offered an amendment, "that no one of the old directors be appointed." Not adopted.

Mr. Sparrow offered an amendment to fill the vacancies, and offered the names of Mr. John Devereux, of Wake; Gaston H. Wilder, of Wake; John D. Whitford, of Craven; John M. Rose, of Cumberland, and Moses A. Holmes, of Rowan.

Mr. Guyther moved to amend by striking out the name of

John M. Rose, and insert the name of Jas. A. Latham of Washington. Adopted.

Upon the amendment as amended Mr. Bunn proposed to strike out Gaston H. Wilder, and insert the name of R. A. King of Davidson.

Mr. Robinson moved to add to section 1 a proviso that the managers are hereby authorized to be appointed by the Governor.

Mr. Waring moved to strike out the amendment of Mr. Johnston, of Buncombe, inserted on second reading.

Mr. Jordan an amendment that the Board of Directors shall retain their positions until the Board of Managers enter upon their duties.

Pending the consideration, Mr. Gregory moved the House adjourn, which motion was carried and the House adjourned to half-past seven P. M.

NIGHT SESSION.

The House was called to order at 7½ o'clock, Mr. Speaker Jarvis in the chair.

The unfinished business was resumed, the question being upon Mr. Robinson's amendment, which, by permission, was withdrawn.

The question was then upon Mr. Bunn's amendment, which was to strike out the name of "Gaston H. Wilder," and insert that of "R. A. King, of Davidson." Lost.

Mr. Dunham moved to strike out the name of Jas. A. Latham," and insert that of "Alfred Dockery," which did not prevail.

Mr. Jordan moved to strike out the same name and insert the name of "D. F. Caldwell, of Greensboro'." Lost.

The question recurring on the amendment of Mr. Sparrow, it was adopted.

The question next being on the motion of Mr. Waring to

strike out Mr. Johnston's amendment, on which motion Mr. Welch called for the ayes and noes.

Mr. Robinson moved the previous question upon the passage of the bill on the third reading, and the call was sustained.

The question being on Mr. Jordan's amendment, it was adopted.

On striking out Mr. Johnston's amendment the ayes and noes were called, and the motion did not prevail. Ayes 34; Noes 39.

AYES—Messrs. Ashe, Atwater, Broadfoot, Clinard, Currie, Drake, Gambrel, Gore, Gregory, Houston, Hinnant, Lassiter, Lucas, Maxwell, McAllister, McCauley, McNeill, Mitchell, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack and York—34.

NOES—Messrs. Armstrong, Bean, Bryan of Jones, Buxton, Cawthorn, Chamberlain, Crawford, Dudley, Dunham, Ellison, Faulkner, Fletcher, Goodwin, Gullick, Guyther, Harris of Guilford, Harris of Franklin, Hargrove, Heaton, Johnston of Buncombe, Johnson of Edgecombe, Jordan, Kelly of Davie, Loftin, Luckey, Lyon, Martin, Newsome, Nisson, Page, Phillips, Robinson, Smith of Halifax, Sparrow, Sykes, Tucker of Craven, Willis, Woodhouse and Williamson—39.

Mr. Page offered an amendment to pay the managers four dollars *per diem* and ten cents mileage. Lost.

The question recurring on the passage of the bill on the third reading, it passed.

Mr. Robinson moved to reconsider the vote by which the House adopted joint resolution to rescind the joint resolution on adjournment.

On motion, the resolution was indefinitely postponed.

On motion of Mr. Withers, S. B. 288, bill concerning marriage, marriage settlements, &c., was taken up and passed its third reading and ordered enrolled.

Mr. Dudley offered an amendment to strike out "white"

"negro," "Indian" and "generation" wherever they occur, and insert "all married persons."

Mr. Waring moved to lay the bill on the table, which was lost.

The question then was on the amendment of Mr. Dudley, which was lost.

Mr. Withers moved an amendment to strike out in section 1, down to word "a" in section 2, and inserting "all" before "white," and another motion to lay the bill on the table; both motions were lost.

Mr. Waring offered an amendment by striking out sections 37 and 38; lost.

Mr. Ashe offered an amendment to strike out the proviso in section 25, which was adopted.

Mr. Ashe an amendment in section 17, line 3, strike out the word "affect" and insert the word "bind," and in lines 8 and 9, strike out the words "without the written consent of her husband" and insert in lieu thereof "or in such cases as have heretofore been allowed by the Courts of Equity;" lost.

Mr. Welch offered an amendment to strike out the words "if the husband shall commit adultery."

Mr. McAllister moved to reconsider the vote by which the House refused to strike out sections 37 and 38, which prevailed.

The question was then on Mr. Welch's amendment, which was carried.

Mr. Waring's motion was then put and lost.

The bill was then put on its third reading and passed.

Mr. Jordan moved to take up Senate bill 600, in regard to the public printing, on which motion the ayes and noes were called and the rules suspended. Ayes 48; Noes 16.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Cawthorn, Chamberlain, Clinard, Crawford, Currie, Drake, Dunham, Fletcher, Gambrel, Gore, Gullick, Gregory, Heaton, Hinnant, Johnston of Buncombe, Jordan, Kelly of Davie, Lassiter, Lucas, Luckey, Marler, Maxwell, McAllister, McCauley,

Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Tucker of Craven, Waring, Welch, Withers, Womack and York—48.

Noes—Messrs. Bean, Dudley, Ellison, Faulkner, Goodwin, Guyther, Hargrove, Johnson of Edgecombe, Loftin, Lyon, Newsome, Nisson, Page, Phillips, Sykes and Willis— 16.

Mr. Ashe offered an amendment to substitute in section 8, "60" for "40" days. Adopted.

Mr. Waring moved the previous question on the passage of the bill, and the call was sustained.

Mr. Tucker, of Craven, having offered an amendment "to strike out shall have $1.25 for the quad M—strike out 60 cents for the letter M," and insert in lieu thereof "let the printing to the lowest bidder. Lost.

The bill was then put on its third reading and passed. Ayes 39; Noes 25.

Ayes—Messrs. Armstrong, Ashe, Atwater, Clinard, Currie, Drake, Gambrel, Gore, Gregory, Houston, Johnston of Buncombe, Jordan, Kelly of Davie, Lassiter, Luckey, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Sparrow, Stanford, Stewart, Tucker of Iredell, Waring, Withers, Wilcox, Womack and Woodhouse—39.

Noes—Messrs. Bean, Broadfoot, Buxton, Chamberlain, Crawford, Dudley, Dunham, Ellison, Fletcher, Gullick, Guyther, Hargrove, Hinnant, Johnson of Edgecombe, Loftin, Lucas, Lyon, Marler, Nisson, Page, Phillips, Sykes, Tucker of Craven, Willis and York—25.

On motion, House resolution 154, in favor of F. M. Straughn was taken up and passed second reading and was put on its third reading and failed to pass for want of a quorum.

On motion of Mr. Sparrow, the resolution to publish the report of the State Geologist, was taken up.

Mr. Waring moved that the resolution be indefinitely postponed.

On motion of Mr. Phillips it was laid on the table.

Mr. Broadfoot moved a suspension of the rules to take up Senate bill 479.

Mr. Chamberlain reported from the Committee on Finance, favorably, on

Resolution to authorize the State Treasurer and Attorney General to employ additional aid, which was then taken up and passed second and third readings.

S. B. 479 to amend sub-division 2, section 31, title 4, Code of Civil Procedure, was taken up and passed second and third readings and ordered enrolled.

Resolution to raise a Special Commission, was taken up.

Mr. Ashe moved to amend certain verbal inaccuracies, and the bill was put on its second reading and passed; and the rules being suspended, it was put on its third reading and passed.

On motion of Mr. Phillips, the bill to cure certain defects in taking the probate of deeds and the privy examination of *femes covert*, was taken up and passed second and third readings.

On motion, the House adjourned

SATURDAY, FEBRUARY 10TH, 1872.

The House met at 10 A. M., Mr. Speaker Jarvis in the chair.

Mr. Kelly asked to be excused from the Committee on Printing. Granted.

Mr. Tucker, of Craven, obtained leave to change his vote to suspend the rules to put the bill in relation to Public Printing on its third reading.

REPORTS OF COMMITTEES.

Mr. ——, from the Committee on Corporations, reported unfavorably on

S. B. to incorporate the Ransom's Bridge and Weldon Transportation Company; and on

S. B. to incorporate the Wilmington Ship Canal Company.

RESOLUTIONS.

By Mr. Loftin: A resolution of instructions to the Secretary of State. Under a suspension of the rules, the resolution was adopted.

S. B. in favor of certain Sheriffs, was taken up and passed second and third readings.

S. B. 599, to prevent fraud in the sale of commercial manures was, on motion of Mr. Maxwell, taken up and passed second and third readings and ordered enrolled.

Mr. Robinson, by consent, introduced a bill to amend an act to incorporate the National Loan and Trust Company. Read and placed on the calendar; also,

A bill to amend an act to incorporate the Falls of Neuse Manufacturing Company; which, under a suspension of the rules, passed second and third readings and ordered engrossed.

Mr. Ellison moved to re-consider the vote by which the resolution in favor of F. M. Straughn failed to pass third reading; and the motion prevailed, and the resolution again failed for want of a quorum voting.

S. B. supplemental to an act to incorporate the Dawson Bank, was taken up and, on motion, laid on the table.

A message was received from the Senate transmitting for concurrence:

Resolution concerning the publication of certain acts;

S. B. concerning insane convicts. On the calendar;

S. R. of instructions to the Secretary of State. On the calendar;

S. B. to be entitled an act to amend an act concerning representation in the Senate. Read and placed on the calendar; also,

S. B. 420, in relation to Moore and Nash squares, in the city of Raleigh, and

S. R. 579, authorizing settlement of the accounts of B. Buchanan and sureties with the State; both read and placed on the calendar;

H. B. to authorize the collection of unpaid taxes for 1870–'68–'9 in the town of Wilmington. The amendment reported by the Committee was adopted and passed second and third readings and ordered engrossed.

H. B. to promote immigration was, on motion of Mr. Jones, of Caldwell, called from the Committee on Immigration and considered.

Mr. Jones offered the proviso that the appropriation shall be solely applied for advertising.

Mr. Wilcox moved to lay the bill on the table, and the motion prevailed.

Mr. McAllister moved to reconsider the vote by which Senate bill for the better government of the Penitentiary passed third reading.

Mr. Dudley moved to indefinitely postpone the motion, and call the ayes and noes.

The call was sustained and the motion to postpone did not prevail. Ayes 31; Noes 44.

Ayes—Messrs. Armstrong, Bean, Brown, Bryan of Jones Bunn, Chamberlain, Dudley, Dunham, Ellison, Faulkner Fletcher, Goodwin, Harris of Guilford, Harris of Franklin, Hargrove, Johnston of Buncombe, Johnson of Edgecombe, Kelly of Davie, Loftin, Lyon, Marler, Morgan of Wake, Newsome, Nisson, Phillips, Robinson, Smith of Halifax, Sparrow, Sykes, Tucker of Craven and Willis—31.

Noes—Messrs. Ashe, Atwater, Atkinson, Broadfoot, Clinard, Crawford, Currie, Drake, Gambrel, Gore, Gullick, Grayson, Gregory, Henderson, Houston, Hinnant, Jones of Caldwell, Jordan, Kelly of Moore, Lassiter, Lucas, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford,

Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox, Womack and York.—44.

Mr. McAllister called the previous question, which was ordered and the motion to reconsider prevailed under a call for the ayes and noes. Ayes 40; Noes 32.

Ayes—Messrs. Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Drake, Gambrel, Gore, Gullick, Grayson, Gregory, Houston, Hinnant, Jordan, Kelly of Moore, Lassiter, Lucas, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox and Womack—40.

Noes—Messrs. Armstrong, Bean, Brown, Bryant of Halifax, Dudley, Dunham, Ellison, Faulkner, Fletcher, Harris of Guilford, Harris of Franklin, Hargrove, Hardy, Johnston of Buncombe, Johnson of Edgecombe, Jones of Caldwell, Kelly of Davie, Lottin, Lyon, Martin, Marler, Morgan of Wake, Newsome, Nisson, Page, Phillips, Robinson, Smith of Halifax, Sparrow, Sykes, Tucker of Craven and Willis—32.

Mr. Crawford, moved to reconsider the vote by which the House refused to strike out the amendment of Mr. Johnston, and called the previous question, and the motion to reconsider prevailed. Ayes 40; Noes 21.

Ayes—Messrs. Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Darden, Drake, Gambrel Gore, Gullick, Grayson, Gregory, Houston, Hinnant, Kelly of Moore, Lassiter, Lucas, Maxwell, McAfee, McCauley, McNeill, Mitchell, Nicholson, Powell, Reid, Regan, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox and Womack—40.

Noes—Messrs. Armstrong, Bean, Bryant of Halifax, Chamberlain, Dunham, Ellison, Faulkner, Fletcher, Harris of Guilford, Hargrove, Hardy, Johnston of Buncombe, Jones of Caldwell, Jordan, Kelly of Davie, Loftin, Nisson, Phillips, Robinson, Smith of Halifax and Sparrow—21.

Mr. Waring moved to strike out the amendment, and called the previous question and the motion prevailed.

The question recurring on the passage of the bill, it passed third reading .Ayes 46 ; Noes 15.

Ayes—Messrs. Armstrong, Ashe, Atwater, Broadfoot, Clinard, Crawford, Currie, Drake, Dunham, Furr, Gambrel, Gore, Grayson, Gregory, Houston, Hinnant, Johnston of Buncombe, Jordan Kelly of Davie, Kelly of Moore, Lassiter, Lucas, Luckey, Maxwell, McAllister, McCauley, McNeill, Mitchell, Nicholson, Powell, Reid, Regan, Robinson, Scott, Shull, Smith of Anson, Smith of Wayne, Stanford, Stewart, Strudwick, Tucker of Iredell, Waring, Welch, Withers, Wilcox and Womack—46.

Noes—Messrs. Bean, Chamberlain, Faulkner, Fletcher, Gullick, Harris of Guilford, Hargrove, Jones of Caldwell, Loftin, Lyon, Marler, Nisson, Phillips, Smith of Halifax and Sparrow—15.

Mr. Waring moved to reconsider the vote by which it passed its third reading, and to lay that motion on the table, and it prevailed.

Mr. Goodwin introduced a resolution of thanks to the Speaker, which under a suspension of the rules was adopted.

Resolved, That the thanks of the House are due and are hereby extended to the presiding officer, Hon. T. J. Jarvis, for the ability, impartially and kindness shown the members of this House during his term of office.

Mr. Johnston, of Buncombe, in the chair.

A message was received from the Senate transmitting for concurrence, Senate amendments to House resolutions in favor of the Principal and Assistant Clerks, which were concurred in, and

S. R. in favor of James H. Ennis, which was taken up, and passed second and third readings and ordered enrolled.

H. B. to provide for the compilation of the statues was taken up, passed second and third readings and ordered transmitted to the Senate without engrossment.

The following was announced from the chair:

"House Branch of Joint Committee, to examine the accounts of the Public Treasurer Messrs. McAllister, Dunham and Harris of Franklin;

Messrs. Ashe and Chamberlain will take the place of Messrs. Kelly and Waring, on the Committee on Printing."

A message was sent to the Senate transmitting the following bills:

H. B. 309, a bill to authorize the collection of special taxes, for the years 1868, 1869 and 1870, in the Town of Washington;

H. B. 605, a bill to repeal part of the act of January 5th, 1872, to incorporate the Falls of Neuse Manufacturing Company; and

H. B. 606, to amend and revive the charter of the National Loan and Trust Company.

Mr. McAllister, from the Committee on Engrossed Bills, reported as correctly engrossed

House amendments to bill regarding marriage, marriage settlements and contracts of married women, and

Resolution of instructions to the Secretary of State, and they were transmitted to the Senate.

Mr. Robinson, from the Committee on Enrolled Bills, reported as correctly enrolled the following:

An act to amend the charter of Statesville;

An act for the relief of A. E. Wells, of Buncombe County;

An act for the better protection of oysters and terrapins in the waters of North Carolina;

An act to authorize the commissioners of the Town of Washington to levy a special tax;

An act to prevent the retailing of spirituous liquors in the town of Mount Airy, Surry county;

An act to re-enact chapter 278, laws of 1868–'69, entitled "An act to revive and arrange the charter of the Tuckasegee and Nantahala Turnpike Company, ratified 12th April, 1869;

An act to authorize and empower the Government of the United States to purchase and hold lands in North Carolina for the purpose of a National Cemetery;

Resolution in favor of W. M. Shipp, Attorney General, and Judge J. M. Cloud;

Resolution in relation to the sale of the Eastern Division of the Western North Carolina Railroad;

An act to enable any persons, not less than three, to become incorporated and to regulate such and other corporations;

An act to prevent the felling of trees in Uwharie River, Randolph county and throwing obstructions therein;

An act to prohibit the sale of spirituous liquors within the town of Smithville;

An act supplemental to an act to lay off and establish the new County of Pamlico;

An act in regard to the municipal elections in the town of Carthage, Moore County;

An act to amend chapter 93, private laws of 1870–'71;

An act to amend sections 9, 11 and 13, chapter 189, laws of 1870–'71;

Resolution of instruction to the Auditor;

Resolution to pay John D. Cameron $60; and they were ratified.

S. B. to amend section 20, chapter 137, laws of 1869–'70, concerning wet lands, was taken up. The amendment reported by the committee was adopted and bill passed second and third readings and ordered transmitted to the Senate.

Bill from Senate, 420, a bill in relation to Moore and Nash squares, in the City of Raleigh, was taken up and put on its second reading and went to third reading and passed.

On motion of Mr. Robinson, Senate resolution authorizing the settlement of accounts of B. S. Buchanan and sureties with the State, was taken up and passed second and third readings and ordered enrolled.

Mr. Jordan moved to suspend the rules to take up House bill in relation to rules of evidence. The motion prevailed and the bill was indefinitely postponed.

Mr. Currie, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to establish the rates of Public Printing and for other purposes;

An act granting power to Township Board of Trustees of Franklin Township, Sampson County;

An act to amend chapter 262 of the public laws of 1870–71;

An act supplemental to an act to incorporate the Bank of Hillsboro'; and

An act to incorporate the town of Faison, in Duplin county, and they were ratified.

H. B. to amend the act of 1865–'66, chapter 35, to establish workhouses, was taken up and passed second and third readings and ordered transmitted to the Senate without engrossment.

Mr. Robinson moved to suspend the rules to take up Senate bill for the better protection of the revenues and property of the University.

Mr. Hargrove called the ayes and noes, which was sustained, when Mr. Robinson withdrew the motion.

Mr. Nicholson moved that when this House adjourn, it do so to meet at 4 o'clock P. M., and the motion prevailed.

Mr. Robinson, by consent, introduced a resolution allowing the Enrolling Clerk and Engrossing Clerk the same pay as Principal and Assistant Clerks. Read and placed on the calendar.

The Honorable Mr. Speaker Jarvis gave his farewell address, when,

On motion, the House adjourned.

EVENING SESSION.

Mr. Johnston, of Buncombe, in the chair.

Mr. Sparrow, by consent, introduced a resolution to provide for the printing of the Report of the State Geologist, and

moved to suspend the rules to put the resolution on its passage, when

A message was sent transmitting to the Senate House amendments to

S. B. to amend an act chartering the Jamesville and Washington Railroad;

H. B. to provide a compilation of the Public Statutes; and

House amendments to Senate bill to amend chapter 137, laws of 1869-'70; and asking concurrence therein.

The resolution was then taken up and failed for want of a quorum.

The motion was renewed, and the resolution passed second and third readings.

A message was received from the Senate transmitting for concurrence

H. R. in favor of Enrolling and Engrossing Clerks.

Mr. Brown moved to re-consider the vote by which the resolution in favor of J. W. Straughn failed to pass its third reading, which was adopted, and the resolution was again put on its third reading.

Mr. Gregory moved to lay the motion on the table, which was lost, and the resolution failed to pass.

Mr. York moved to re-consider the vote. Prevailed.

S. B. concerning insane convicts, was taken up and passed second and third readings.

S. B. to amend chapter 1, section 419, title 19, Code of Civil Procedure, was taken up and passed second and third readings and ordered enrolled.

On motion, the House adjourned.

MONDAY, FEBRUARY 12TH, 1872.

The House met at 10, A. M., Mr. Speaker Jarvis in the char.

Prayer by the Rev. Dr. Pritchard, of the City.

The Journal of Saturday was read and approved.

REPORTS OF COMMITTEES.

Mr. ———, from Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to create a special commission ;

An act to cure certain defects in the probate of deeds and privy examination of *femes covert* in this State, and for other purposes ;

An act to provide for the creation of certain trust estates ;

An act to incorporate the town of Farmville, in Pitt county ;

An act to allow the Commissioners of Warren county to levy a special tax ;

An act in relation to Moore and Nash Squares in the city of Raleigh ;

An act to consolidate the school laws and to provide for a system of public instruction ;

An act to prescribe the practice and procedure in certain actions by creditors of deceased persons against their personal representatives ;

An act to amend subdivision 2, section 31, chapter 3, of title 4, of the Code of Civil Procedrue ;

An act in favor of certain sheriffs ;

An act to incorporate the Cyrenean Company, of the city of Wilmington ;

An act concerning insane convicts ;

An act to authorize the collection of unpaid taxes for the years 1870–'71, in Wilmington ;

An act to amend chapter 137, laws of 1869–'70, entitled an act to provide for draining wet lands ;

An act to amend an act passed at this session of the General Assembly, re-enacting and amending an act incorporating the National Loan and Trust Company ;

An act to enable any persons, not less than three, to become incorporated and to regulate such and other corporations ;

An act to amend chapter 10, section 1, of Revised Code, concerning auctions and auctioneers in Washington county;

An act for the better government of the Penitentiary, and for other purposes;

Resolution in favor of Allen B. Williams and Robt. Henly;

Resolution to raise a commission to examine into the accounts of the Public Treasurer;

Resolution of instruction to the Secretary of State;

Resolution authorizing the Treasurer and Attorney General to employ aid;

Resolution authorizing a settlement of the accounts of B. S. Buchanan and sureties with the State;

Resolution in favor of Jas. H. Enniss;

Resolution in favor of the Principal Clerks;

Resolution allowing the Enrolling and Engrossing Clerks the same *per diem* as received by the Principal and Assistant Clerks;

An act to provide for a compilation of the Public Statutes;

An act for the relief of certain tax-payers of Wilson county;

An act to repeal a part of the act ratified January 5th, 1872, entitled an act to incorporate the Falls of Neuse Manufacturing Company;

An act to authorize R. F. Trogden, the present Sheriff of Randolph county, to collect arrears of taxes;

An act supplemental to an act to incorporate the town of Catawba, in Catawba County;

Resolution authorizing the State Geologist to have his report printed, &c;

An act to incorporate the Yadkin River Navigation Company;

An act making indictable the felling of trees in Neuse River;

An act to give the chief officers of cities and towns the criminal jurisdiction of Justices of the Peace;

An act to amend section 419, chapter 1, title 19, of the Code of Civil Procedure;

Besolution for the relief of B. Mayfield, citizen of Cherokee County;

An act to empower the Superior Court Judges to appoint a commissioner in certain cases for the settlement of estates;

An act for the relief of Newett D. Owen and Seth H. Tyson, citizens of Wilson County;

An act to prevent fraud in the sale of commercial manures.

An act concerning marriage, marriage settlements and contracts of married women;

An act to incorporate the Henderson Savings and Loan Association of Henderson, N. C.;

An act to amend an act chartering the Jamesville and Washington Railroad and Lumber Company.

A message was received from the Senate transmitting a resolution in regard to the Capitol, which under a suspension of the rules was considered and passed second and third readings and ordered engrossed, and the same was enrolled and ratified.

By consent, House resolution in favor of Edward S. Badger was taken up and passed second and third readings and transmitted to the Senate without engrossment. It was announced as having passed third reading in the Senate, and reported by the committee as correctly enrolled, and it was ratified.

In accordance with joint resolution of the two Houses, the House adjourned *sine die*.

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ERRATA.

Page 192, line 29, read "chapter 102 for 103."

Page 272, read "section 131, of Code Civil Procedure" for "section 103."

Page 452, 3 lines from bottom, strike out the words "and 3d reading and ordered enrolled."

Page 457, line 7, for "Wilmington," read "Williamston."